(3) (1) CAVOK

IN THE HIGH COURT OF CHHATTISGARH AT BILASPUR

W. P. NO. 334 /2003

PETITIONER : Ramswaroop Kumhar, S/o. Shri Late Ram Gopal Kumhar, aged about 44 years, R/o. Deviganj, Ward No.13, Zodapeepal, Ambikapur, District - Surguja (C.G.)

VERSUS

RESPONDENT :

1. State of Chhattisgarh Through Secretary Deptt. of Labour D.K.S. Bhawan, Raipur (C.G.)

2. State of Madhya Pradesh Through the Secretary Deptt. of Labour Central Administration, (State Reorganization Cell) Ministry, Satpura Bhawan, Bhopal (M.P.)

3. Union of India Through Secretary Ministry of Personal Grievances, Labour Deptt. Mantralaya, New Delhi

P. R. No. 23.02.03
Presented by Shri Vijay Tamrakar
dated 26.06.03

RECEIVED COPY,
CLERK TO A.G. BILASPUR 18/2/03

WRIT PETITION UNDER ARTICLE 226/227 OF THE CONSTITUTION OF INDIA.

AFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

(70)

WRIT PETITION No. 445 of 2001

PETITIONER : B.R.Godbole

VERSUS

RESPONDENTS : Municipal Corporation Durg, & Others

AND

Other connected matters.

Post for order on 17th April, 2007

Sd/-
Satish K.Agnihotri
Judge

(71)

HIGH COURT OF CHHATTISGARH AT BILASPUR

S.B. : HON'BLE SHRI SATISH K. AGNIHOTRI, J.

Writ Petition No. 445 of 2001

PETITIONER : B.R.Godbole S/o Ratinam Godbole, aged about 49 years, R/o Nagar Nigam Quarter, Sanichari Bazar, Durg.

VERSUS

RESPONDENTS :
1. Municipal Corporation Durg, through its Commissioner, Municipal Corporation, Durg.
2. State of Chhattisgarh through Secretary, Nagaria Prashasan avam Vikas Vibhag, Secretariat, Old D.K.Hospital Building, Raipur – (C.G.)
3. State of M.P. through Secretary Nagaria Prashasan avam Vikas BHOPAL (M.P.)

Writ Petition No. 446 of 2001

PETITIONER : Toran Prasad Sahu S/o Late Pilababu Sahu aged about 44 years R/o Vill & P.O. Pavni, Tehsil: Balodabazar, Dist: Raipur.

VERSUS

RESPONDENTS :
1. Municipal Council, Mungeli through Chief Municipal Officer, Municipal Council, Mungeli, Dist: Bilaspur (C.G.)
2. Divisional Dy. Director, Nagari Prashashan Avam Vikas, Bilaspur Division, Bilaspur (C.G.)
3. State of Chhattisgarh through Secretary, Nagari Prashashan Avan Vikas, Secretariat, Old D.K.Hospirat Building, Raipur (C.G.)

(72)

4. State of M.P. through Secretary Nagari Prashashan Avam Vikas, BHOPAL (M.P.)

Writ Petition No. 499 of 2001

PETITIONER : Bhuleshwar Prasad Sahu S/o Premlal Sahu, aged 38 years Municipal Council, Baloda Bazar, Distt. Raipur Chhattisgarh

VERSUS

RESPONDENTS :

1. State of Chhattisgarh, Through: Dy. Secretary, Department of Urban Administration and Development, DKS Bhawan (Mantralaya) RAIPUR, CHHATTISGARH.
2. Director, Department of Urban and Administration Development, Netaji Stadium, Opposite Moti Garden, RAIPUR-CHHATTISGARH.
3. State of Madhya Pradesh, Ministry of Urban Development Administration, Through: Deputy Secretary, Vallabh Bhawan, Mantralaya, BHOPAL.
4. The Deputy Director, Department of Urban Administration & Development, Netaji Stadium Opp. Moti Garden, RAIPUR.
5. The Chief Municipal Officer, Municipal Council, Baloda Bazar, RAIPUR.
6. The President, Municipal Council, Baloda Bazar, RAIPUR.

Writ Petition No. 503 of 2001

PETITIONER : Dilip Tiwari S/o Late N.C.Tiwari, aged 40 years, occupation-

(93)

N.C.Tiwari, aged 40 years, Occupation-service, presently posted as Revenue Inspector, Municipal Corporation, Bilaspur.

VERSUS

RESPONDENTS : 1. State of Chhattisgarh, through Secretary, Deptt of Urban Administration & Development, D.K.S. Bhawan, Mantralaya, Raipur.

2. State of Madhya Pradesh through Secretary, Deptt of Urban Administration & Development, Vallabh Bhawan, Bhopal.

3. Municipal Corporation, Bilaspur, through its Commissioner

4. Nagar Palika, Seoni Malwa District-Hoshangabad through its Municipal – Officer, Seoni Malwa, District –Hoshangabad M.P.

Writ Petition No. 583 of 2001

PETITIONER : Angaru Singh Dhruv S/o Deendayal Singh Aged 44 years, R/o Village Sel, P.O. Sel, Thana Kasdol Distt. Raipur-Chhattisgarh.

VERSUS

RESPONDENTS : 1. State of Chhattisgarh, Through: Dy. Secretary, Department of Urban Administration And Development DKS Bhawan, (Mantralaya) RAIPUR-CHHATTISGARH

2. Director, Department of Urban and Administration Development Netaji Stadium, Oposite Moti Garden, Raipur-Chhattisgarh.

3. State of Madhya Pradesh, Ministry of Urban Development

Administration, Through Deputy Secretary, Vallabh Bhawan, Mantralaya, Bhopal.

4. The Deputy Director Department of Urban Administration & Development, Nataji Stadium Opp. Moti Garden, Raipur-Chhattisgarh.

5. The Chief Municipal Officer Bhatapara, Distt. Raipur.

6. The President, Municipal Council Bhatapar, Raipur.

Writ Petition No. 597 of 2001

PETITIONER : ILDAN BADA, S/o Patras Bada Aged about 47 years, Lineman - Electrical Department, Municipality Ambikapur Distt. Surguja, R/o Village - Fundurdihari, Mahuapara, Distt. – Surguja (C.G.)

VERSUS

RESPONDENTS : 1. Municipal Corporation Ambikapur, Through Administrator Municipal Corporation Ambikapur, Distt. Sarguja (C.G.)

2. Dy. Director, Urban Administration and Development, Bilaspur, Division Bilaspur (C.G.)

3. The State of Chhattisgarh Through – Secretary, Urban Administration and Development, Raipur (C.G.)

4. Chief Municipal Officer, Municipality Nagda Distt. Ujjain (M.P.)

5. Dy. Director, Urban Administration and Development, Distt. Ujjain (M.P.)

6. State of Madhya Pradesh Through-Secretary Urban

(78)

Administration and Development, Bhopal (M.P.)

Writ Petition No. 600 of 2001

PETITIONER : Heth Ram Sahu S/oDarash Ram Sahu aged about 38 years R/o Nagar Panchayat Bagh Behara, Dist: Mahasamund.

VERSUS

RESPONDENTS :
1. Nagar Panchayat Baghbehara through its Chief Municipal Officer, Baghbehara Dist: Mahasamund.
2. State of Chhattisgarh through Secretary, Nagaria Prashasan avam Vikas Vibhag, Secretariat, Old D.K.Hospital Building, Raipur – (C.G.)
3. State of Madhya Pradesh through the Secretary, Nagaria Prashasan avam Vikas Vibhag, Vallabh Bhawan, Bhopal – (MP)

Writ Petition No. 628 of 2001

PETITIONER :
1. Het Ram Patel, S/o Guharam Patel, aged about 37 years Working as Moharrir, Nagar Panchayat Shivrinarayan, R/o Near Radha Krishna Mandir, Mahantpara, Shivrinarayan, Navagarh, Janjgir-Champa.
2. Vidya Prakash Sharma, S/o Ramadhar Sharma, aged about 40 years, Working as Moharrir, Nagar Panchayat Shivrinarayan, R/o Near Sharswati Sishu Mandir, Tusma Road, Shivrinarayan, Janjgir Chanpa.
3. Ganesh Das manikpuri, S/o Late Jhadudas Manikpuri, aged about 40 years, Working as Lower Division Clerk, Nagar

(76)

Panchayat Shivrinarayan R/o In front of Shabbir Boot House, Kera Road Shivrinarayan, Janjgir Champa.

VERSUS

RESPONDENTS : 1. State of Chhattisgarh Through: Secretary, Nagriya Prashasan Awam Vikas Mantralaya, Shastri Chowk, Raipur.

2. State of Madhya Pradesh Through: Secretary, Ministry of Urban Administration and Development, Vallabh Bhawan, Bhopal.

3. Under Secretary, Department of Urban Administration and Development Mantralaya, Shastri chowk, Raipur.

4. President, Nagar Panchayat Shivrinarayan, District-Janjgir Chanpa.

Writ Petition No. 695 of 2001

PETITIONER : Sri Govindram Sahu S/o Shri Achheram Sahu, aged 39 years, Municipal Council Sarangarh, Disst. Raigarh Chhattisgarh.

VERSUS

RESPONDENTS : 1. State of Chhattisgarh, Through: Dy. Secretary, Department of Urban Administration And Development, DKS Bhawan, Mantralaya, RAIPUR-CHHATTISGARH.

2. Director, Department of Urban Administration And Development, Netaji Stadium, Opposite Moti Garden, RAIPUR-CHHATTISGARH.

3. State of Madhya Pradesh, Ministry of Urban Development and Administration, Through: Deputy Secretary, Vallabh Bhawan, Mantralaya,

(77)

BHOPAL.

4. The Deputy Director Department of Urban Administration & Development, Link Road, Near C.M.D. College, BILASPUR Chhattisgarh.
5. The Chief Municipal Officer Municipal Council Sarangarh, Raigarh Distt. Raigarh, Chhattisgarh
6. The President, Municipal Council Sarangarh, Distt. Raigarh Chhattisgarh.

Writ Petition No. 752 of 2001

PETITIONER : Himanshu Tiwari S/o Late Shri B.L.Tiwari aged about 41 years, Revenue Officer Municipal Counsil Bhatapara The: Bhatapara, Dist: Raipur.

VERSUS

RESPONDENTS :
1. Municipal Counsil Bhatapara Acting through Chief Municipal Officer Municipal Counsil Bhatapara, Dist: Raipur.
2. Divisional Dy. Director Nagariya Prashashan Evam Vikas Raipur Division Raipur.
3. State of Madhya Pradesh through Secretary Nagariya Prashashan Evam Vikas Government of Madhya Pradesh Bhopal.
4. State of Chhattisgarh through Secretary Nagariya Prashashan Evam Vikas Secretariat, D.K.Hospital Building, Raipur (C.G.)

Writ Petition No. 826 of 2001

PETITIONER : Shri Kedram Sahu, S/o Sri Bhojram Sahu, Aged 41 years,

(78)

Office Assistant Grade-II Nagar Panchayat, GANDAI Distt. Rajnandgaon, Chhattisgarh

VERSUS

RESPONDENTS : 1. State of Chhattisgarh, Through Dy. Secretary, Department of Urban Administration And Development DKS Bhawan, (Mantralaya) Raipur-Chhattisgarh.

2. Director, Department of Urban and Administrtion Development Netaji Stadium, Opposite Moti Garden, Raipur-Chhattisgarh

3. State of Madhya Pradesh Ministr of Urban Development and Administration, Through Deputy Secretary, Vallabh Bhawan, Mantralaya Bhopal (M.P)

4. The Deputy Director Department of Urban Administration and Development, Netaji Stadium Opp. Moti Garden, Raipur Distt. Chhattisgarh.

5. The Chief Municipal Officer, Nagar Panchayat Gandai Distt. Rajnandgaon-Chhattisgarh.

6. The President, Municipal Council Nagar Panchayat Gandai - Rajnandgaon Chhattisgarh.

Writ Petition No. 912 of 2001

PETITIONER : Kunwar Kujur S/o Shri Patras Kujur, aged about 52 years, working as Assistant Superintendent Land records (Sahayak Adhikshak Bhu-Abhilekh (Vyapvartan), posted at Office of Collector Sarguja.

VERSUS

79

RESPONDENTS : 1. The State of Chhattisgarh, through the Chief Secretary, Mantralaya, D.K.Building, Raipur.

2. The State of Madhya Pradesh, through the Chief Secretary, Secretariate, Vallabh Bhawan, Bhopal (MP).

3. Commissioner, Bhu-Abhilekh Evam Bandobast, M.P. Gwalior.

4. Commissioner, Bhu-Abhilekh Evam Bandobast, Chhattisgarh, Raipur.

5. Collector, Sarguja (Chhattisgarh).

6. Union of India, through Secretary, Ministry of Home Affairs, New Delhi.

Writ Petition No. 1482 of 2001

PETITIONER : V.P.Sharma S/o Late Shri Kanhiyalal Sharma R/o C-4, Pankaj Vikram Parishar, Rajendra Nagar, Ravigram Raipur.

VERSUS

RESPONDENTS : 1. State of Chhattisgarh through the Secretary Urban Administration and Development D.K.Bhawan, Raipur.

2. Municipal Corporation Raipur through its Commissioner Corporation building, Near Jaistham Chowk, Raipur.

Writ Petition No. 2263 of 2001

PETITIONER : Sukhdeo Prasad Karosia, S/o. Shri H.R.Karosia, aged about 43 years, resident of behind Janta School, Bilhari, Jabalpur.

presently posted at "Vishesh Police Sthapna" Bilaspur, Lokayukt, Bilaspur (Chhattisgrah)

VERSUS

RESPONDENTS : 1. State of Chhattisgarh, through Principal Secretary, General Administrative Department, Mantralaya, DKS Bhawan, Raipur (Chhattisgarh)

2. State of Madhya Pradesh, through Principal Secretary, General Administrative Department (State Re-organization Cell) Mantralaya, Vallabh Bhawan, Bhopal (Madhya Pradesh).

3. Secretary, State of Chhattisgarh, Ministry of Home Affairs (Police Department), Mantralaya, D.K.S. Bhawan, Raipur (Chhattisgarh).

4. Secretary, State of Madhya Pradesh, Ministry of Home Affairs (Police Department), Mantralaya, Vallabh Bhawan, Bhopal, Madhya Pradesh.

5. Inspector General of Police Lokayukt Bhawan, Bhopal (Madhya Pradesh)

6. President, State Advisory Board, State Re-organization Cell, Vallabh Bhawan, Mantralaya, Bhopal (Madhya Pradesh).

(81)

Writ Petition No. 2467 of 2001

PETITIONER : 1. R.P.Kesharwani, S/o D.P.Kesharwani, Aged about 39 years, Presently posted as Assistant Grade-III, At regional Office, Scout and Guide, Bilaspur, District-Bilaspur.

2. Smt. K.Maseeh, W/o Late Shri Gladvin Maseeh, Aged about 56 years, Presently posted as Assistant State Organization Mission, Working at Regional office Scout and Guide, Bilaspur.

3. Devi Ram Kurmi, Aged about 45 years, Occupation-Service, Posted as Assistant Grade-III, At Regional Office Scout and Guide Bilaspur R/o Pachri Ghat, Juna Bilaspur.

VERSUS

RESPONDENTS : 1. State of Chhattisgarh Through Secretary, School Education Department, D.K. Bhawan, Raipur.

2. Bharat Scouts and Guides, National Head Quarter, Indraprasth, 10 Mahatma Gandhi Marg, New Delhi.

3. State Secretary Bharat Scouts and Guides, M.P. State Head Quarter, Shanti Marg, Shyamla Hills, Bhopal.

4. State Secretary, Bharat Scout and Guides, Chhattisgarh Organization, Raipur.

Writ Petition No. 2484 of 2001

PETITIONER : A.K.Nag, S/o Shri B.N.Nag, Aged about 56 years, Working as Tehsildar Jaijaipur, District-Janjgir-Champa (C.G.)

VERSUS

RESPONDENTS : 1. State of Chhattisgarh, Through Secretary, Department of Revenue, D.K. Builading, Raipur.

2. State of Madhya Pradesh, Through Secretary, Department of Revenue, Vallabh Bhawan, Bhopal.

3. Union of India, Through Secretary, Department of Home Affairs, New Delhi.

Writ Petition No. 129 of 2002

PETITIONER : SHRI RAM WATTI, S/O. SHRI S.R.WATTI, AGED ABOUT 49 YEARS, ADDITIONAL TAHSILDAR, DISTRICT-SARGUJA, CHHATTISGARH.

VERSUS

RESPONDENTS : 1. STATE OF CHHATTISGARH, THROUGH SECRETARY, GENERAL ADMINISTRATIVE DEPARTMENT, D.K.S.BHAWAN, RAIPUR CHHATTISGARH.

2. STATE OF MADHYA PRADESH THROUGH: PRINCIPAL SECRETARY, GENERAL ADMINISTRATIVE DEPARTMENT, (STATE RE-ORGANIZATION CELL) MANTRALAYA, VALLABH BHAWAN, BHOPAL, MADHYA PRADESH.

3. SECRETARY, STATE OF CHHATTISGARH, DEPARTMENT OF REVENUE, MANTRALAYA, D.K.S. BHAWAN, RAIPUR (C.G.)

4. SECRETARY, STATE OF MADHYA PRADESH, DEPARTMENT OF REVENUE, MANTRALAYA, VALLABH BHAWAN, BHOPAL (M.P.)

(83)

5. PRESIDENT, STATE ADVISORY BOARD, STATE RE-ORGANIZATION CELL, VALLAB BHAWAN, MANTRALAYA, BHOPAL, (M.P.).

Writ Petition No. 197 of 2002

PETITIONER : (1) Ram Karan Tiwari S/O Gopika Prasad Tiwari, aged about 50 yrs., Revenue Inspector.

(2) Shanker Dayal Mishra S/O Ugrasen Prasad Mishra, Aged about 42 yrs.

(3) Brij Kumar Tiwari S/O Moti Lal Tiwari, aged about 46 yrs.

(4) Ram Raj Sharma S/O Bihari Lal Sharma, aged about 54 yrs.

(5) Sukhlal Singh Maravi S/O Sukuru Singh, aged about 47 yrs.

(6) Kasi Prasad Vishwa-Karmia S/O Hanumant Prasad Vishwakarma, aged about 49 yrs.

(7) Laliee Prasad Charmkar S/O. Chagnu Charmkar, aged about 54 yrs.

(8) Guljar Prasad Verma S/O Paramsukha Verma, aged about 48 yrs.

(9) Govind Prasad Dwivedi S/o Ramawtar Dwivedi, aged about 48 yrs.

(10) Dalbir Prasad Verma S/O Kamta Prasad Verma, aged about 55 yrs.

(11) Ganga Prasad Mishra S/O Mangal Ram Mishra, aged about 53 yrs.

(12) Belochan Prasad Tiwari S/O Har Prasad Tiwari, aged about 56 yrs.

(13) Raeev Lochan Mishra S/O Suryamani Mishra aged about 56 yrs.

(14) Tej Pratap Gupta S/O Ramawtar Gupta aged about 46 yrs.

(15) Long Singh Mahley S/O Chamru Lal Mahley, aged about 42 yrs.

(16) Ramphal Pandey S/O Ram Krishna Pandey aged about 55 yrs.

(17) Bhagwan Charan Sharma S/o Ram Pragas Mishra, aged about 56 yrs.

All Revenue Inspectors, Collector Office, Bilaspur (C.G.)

(18) Budhasen Verma S/O Mundu Prasad Verma aged about 55 yrs. Revenue Inspector Collector Office, Janjgir Champa Chhattisgarh.

(19) Tejdhari Singh S/O Pyare Lal Singh aged about 54 yrs., Revenue Inpsecot, Collector Office Durg, (C.G.)

(20) Dhani Ram Lanhgera S/O Pancham Lal Lanhgera, aged about 49 yrs. Revenue Inspector Collector Office Raigarh.

(21) Ramayan Prasad Yadav S/O Ram Prasad Yadav, aged about 44 yrs., Revenue Inspector Collector Office Korba (C.G.)

(22) Sunder Lal Patel S/O Hari Kishan Patel aged about 56 yrs, Revenue Inspector Collector Office, Korba (C.G.)

(23) Ram Sunder Sing S/O Motilal Singh aged about 55 yrs., Revenue Inspector Collector Office Kawardha, C-garh

(24) Laxman Prasad Saket S/o Shyam Lal Saket, aged about 47 yrs. Revenue Inspector

(25) Vijay Bahadur Singh S/o Sheo Ram Singh aged about 43 yrs, Revenue Inspector

(26) Harivansh Prasad Pandey S/o Vinayak Prasad Pandey, aged about 55 yrs.

(27) Laloo Lal Mishra S/O Kalaiee Ram Mishra aged about 57 yrs, Revenue Inspector

(28) Ram Kelawan Singh S/o Visheshwar Singh aged about 54 yrs, Revenue Inspector.

(29) Ram Sewak Shrivastava S/o Kodu Lal Shrivastava, aged about 55 yrs, Revenue Inspector

All Collector Office, Janjgir Champa C-garh.

(30) Shri Niwas Gupta S/O Tirath Prasad Gupta, aged about 45 yrs., Revenue Inspector, Collector Office, Korba

(31) Gajanan Prasad Goutam S/O Ram Swaroop Goutam, aged about 52 yrs, Revenue Inspector, Collector Office, Korba

(32) Ram Tej Tiwari, S/O Ram Dayal Tiwari aged about 56 yrs.

(33) Abdul Majid Ansari S/O Rahamatullaha Ansari, aged about 52 yrs.

(34) Anjali Prasad Sharma, S/o Rajmani Ram aged about 52 yrs.,

(35) Ram Laloo Sharma S/o Vinayak Prasad Sharma, aged about 42 yrs.

All Asstt. Revenue Inspector (Helper) Collector Office, Bilaspur (C.G.)

VERSUS

RESPONDENTS : (1) State of Madhya Pradesh Through: The Chief Secretary Govt. of M.P. Bhopal.

(2) State of Chhattisgarh Through: Chief Secretary Govt. of Chhattisgarh, Raipur.

(3) Commissioner, Land Records & Settlement State of M.P. Gwalior (M.P.)

(4) Commissioner, Land Record, State of Chhattisgarh, Raipur, (C.G.)

(5) Central Govt. (Union of India), Through: Secretary Home Deptt. New Delhi.

Writ Petition No. 637 of 2002

PETITIONER : M.R.TIRKEY, aged about 52 years, S/o. Shri Soni Ram, posted as Tahsildar, Sarangarh, Distt. Raigarh (Chhattisgarh).

VERSUS

RESPONDENTS : 1) State of Chhattisgarh. Through: Secretary, General Administrative Department, Mantralaya, D.K.S. Bhawan, Raipur. Chhattisgarh.

2) State of Madhya Pradesh Through: Secretary, General Administrative Department (State Organisation Cell) Mantralaya, Vallabh Bhawan, Bhopal (Madhya Pradesh)

3) Secretary, State of Chhattisgarh, Department of Revenue, Mantralaya,

D.K.S. Bhawan Raipur (Chhattisgarh).

4) Secretary, State of Madhya Pradesh Department of Revenue, Mantralaya Vallabh Bhawan, Bhopal (Madhya Pradesh)

5) President State Advisory Board, State Re-organisation Cell Vallabh Bhawan Mantralaya, Bhopal (MP)

Writ Petition No. 920 of 2002

PETITIONER : Dr. Rajeev Lochan Pandey S/o S.D.Pandey Aged about 52 years, Chief Municipal Officer, Municipal Council, Kawardha, Distt. Kawardha (CG).

VERSUS

RESPONDENTS : 1) Municipal Council, Kawardha Through its President, Municipal Council, Kawardha, Distt. Kawardha (CG).

2) State of Chhattisgarh Through the Secretary, Nagariya Prashasan Avum Vikas Vibhag Mantralaya, DKS Bhawan, Raipur (CG)

3) State of Madhya Pradesh Through the Secretary, Nagariya Prashasan Avum Vikas Vibhag, Vallabh Bhawan, Bhopal (MP).

4) Shri Anil Sharma Chief Municipal Officer, Municipal Nagar Panchayat, Ratanpur, Distt. Bilaspur (C.G.)

Writ Petition No. 991 of 2002

PETITIONER : M.P.State Warehousing Corporation Karmachari Sangh, Bhopal, a registered Trade Union through its Vice-President R.K.Shrivastava S/o Late Shri S.P.Shrivastava, aged about 55 years, Regd. Office LIG-238, R/o LIG-229, Gautam Nagar, Bhopal (Madhya Pradesh)

VERSUS

RESPONDENTS :

1. State of Chhattisgarh Through Secretary, Department of Food, Civil Supplies & Consumer Protection, Mantralaya, D.K.S. Bhawan, Raipur (Chhattisgarth)
2. State of Madhya Pradesh through Secretary, Department of Food, Civil Supplies & Consumer Protection, Vallabh Bhawan, Bhopal (Madhya Pradesh)
3. M.P. State Warehousing Corporation having its registered office at Gautam Nagar, Bhopal Through its Managing Director.
4. Chhattisgarh State Warehousing Corporation through its Managing Director, HQ Anand Nagar, Raipur, Chhattisgarh.
5. Regional Manager, M.P. Warehousing Corporation, Raipur.
6. Regional Manager, M.P. Warehousing Corporation, Bilaspur.
7. Regional Manager, M.P. Warehousing Corporation, Jagdalpur.
8. Union of India through Secretary Ministry of Consumer Affairs Food & Public Distribution, Department of Food Distribution, North

Block New Delhi.

Writ Petition No. 1808 of 2002

PETITIONER : Dr. Ashok Kumar Nayak, S/o Late A.L.Nayak, Aged about 45 years, R/o Asha Nagar, Durg, Distt. Durg (CG).

VERSUS

RESPONDENTS :
1) State of Chhattisgarh Through the Secretary, Agriculture Department, DKS Bhawan, Raipur (CG)
2) State of Madhya Pradesh Through the Secretary, Agriculture Department, Vallabh Bhawan, Bhopal (MP)
3) The Secretary, General Administration Deptt. (GAD) & Re-organisation Cell, Vallabh Bhawan, Bhopal (MP).
4) Union of India, Through the Secretary, Ministry of Personnel and Public Grievances, New Delhi.

Writ Petition No. 2474 of 2002

PETITIONER : A.R.Netam S/o Late Mal Sai Ram Netam, Aged about 43 years, Forest Range Officer, Territorial Kapsi Range, West Division, Bhanu Pratappur, Distt. Kanker (CG).

VERSUS

RESPONDENTS :
1) State of Chhattisgarh Through the Secretary, Forest Department, DKS Bhawan, Raipur.
2) The Deputy Secretary, Forest Department, DKS Bhawan, Raipur.
3) The Conservator of Forest, KANKER CIRCLE, KANKER, Distt. Kanker (CG)

4) The Divisional Forest Officer, West Bhanu Pratappur, . Bhanu Pratappur, Distt. Kanker.

5) Shri D.K.Mehar S/o 'not known' Aged about 45 years, R/o Village & Tahsil - Kondagaon, District Baster (C.G.)

Writ Petition No. 2488 of 2002

PETITIONER : Rakesh Kulshreshtha, S/o. Late Shri Ravindra Nath Kulshreshtha, aged about 40 years, R/o Pratap Chowk Near old Sarkand Bridge, Bilaspur (Chhattisgarh)

VERSUS

RESPONDENTS : 1. State of Chhattisgarh Through- The Secretary, Ministry of Water Resources Department, DAu Kalyan Singh Bhawan, Raipur (C.G.)

2. Engineer – in - Chief, (Administration) Water Resources Department, Raipur (C.G.)

3. State of M.P. Through Secretary, Ministry of Water Resources Department, Valabh Bhawan, Bhopal (M.P.)

Writ Petition No. 260 of 2003

PETITIONER : RAVI KUMAR RAIZADA AGED 44 YRS. S/O SHRI S.S.RAIZADA, R/O LIG 51 JANTA COLONY RAIPUR C.G.

VERSUS

RESPONDENTS : 1. UNION OF INDIA THROUGH SECRETARY, DEPARTMENT OF PERSONNEL, PUBLIC GRIEVANCES AND PENSION NEW DELHI.

2. STATE OF CHHATTISGARH, THROUGH SECRETARY, DEPARTMENT OF PARYAVARAN, NAGPRASHASHAN, AVAM VIKASH D.K.S. BHAWAN G.E. ROAD RAIPUR.

3. THE DIRECTOR, TOWN AND COUNTRY PLANNING, RAIPUR DEVELOPMENT AUTHORITY BUILDING NEAR BAJRANG HOTEL SHASHTRI CHOWK RAIPUR C.G.

4. THE DIRECTOR, DEPARTMENT OF GEOLOGICAL AND MINING RAJEEV GANDHI PARISAR, 35-SHYAMLA HILLS BHOPAL M.P.

5. SMT. SARITA SHRIVASTAVA W/O SHRI SATISH SHRIVASTAVA, C/O MINING OFFICER OFFICE OF THE COLLACTORATE DIST DURG C.G.

Writ Petition No. 1035 of 2003

PETITIONER : R.M.Patel, aged about 41 years, son of Shri G.L.Patel, occupation Service, in Agriculture Department on the post of Rural Agriculture Extension Officer, in Block Kawardha, Distt. Kawardha (CG), permanent resident of village Surmawah Post Panagar, Tah. And Distt. Jabalpur (Madhya Pradesh), present address: Block Kawardha, Distt. Kawardha (C.G.)

VERSUS

RESPONDENTS : 1) State of Chhattisgarh, through the Director, Department of Agriculture, Directorate Labhandi Farm, Raipur (Chhattisgarh).

2) Deputy Director, Department of Agriculture, Distt. Kaardha (Chhattisgarh)

Writ Petition No. 1036 of 2003

PETITIONER : R.K.Sharma, aged about 41 years, son of Shri V.R.Sharma, occupation – Service in Agricultural Department on the post of Rural Agriculture Extension Officer in Block Balod, permanent resident of village and post Daboha, Tah. Bhind, Distt. Bhind (MP), present address: Balod, Distt. Durg (Chhattisgarh).

VERSUS

RESPONDENTS : 1) State of Chhattisgarh, through: The Director, Department of Agriculture, Directorate Labhandi Farm, Raipur (Chhattisgarh).

2) Deputy Director, Department of Agriculture, Distt. Durg (Chhattisgarh).

Writ Petition No. 1330 of 2003

PETITIONER : Ram Chandra Gautam, Son of Shri Madan Lal Gautam, aged about 35 years, Occupation-Senior Agriculture Development Officer, posted at Farsabahar, District-Jashpur Nagar, resident of Farsabahar, District-Jashpur Nagar, (C.G.)

VERSUS

RESPONDENTS : 1. Union of India, through its Secretary, Department of Personnel and Training, Khan Market, New Delhi.

2. State of Madhya Pradesh, through its Secretary, Department of Agriculture, Vallabh Bhawan, Bhopal (M.P.)

3. The State of Chhattisgarh, through its Secretary, Department of Agriculture, D:K.S. Building, Mantralaya, Raipur, District-Raipur (C.G.)

4. M.P.Tilhan Sangh Maryadit Area Coloy, Behind Government Press, Bhopal (M.P.)

5. Additional Director of Agriculture, Directorate of Agriculture, Raipur (C.G.)

Writ Petition No. 1756 of 2003

PETITIONER : Krishna Kumar Sharma, Son of Brijnarayan Sharma, aged about 48 years, R/o. Civil Lines, Dhamtari (CG).

VERSUS

RESPONDENTS : 1. State of Chhattisgarh through the Secretary, Public Works Department, DKS Bhavan, Raipur (CG)

2. State of Madhya Pradesh through the Secretary, Public Works Department, Vallabh Bhavan, Bhopal (MP)

3. The Secretary, General Administration Department & Re-organization Cell, Vallabh Bhavan, Bhopal (MP)

4. Union of India, through the Secretary, Ministry of Personnel & Public Grievances, New Delhi.

Writ Petition No. 1801 of 2003

PETITIONER : Victor Joseph S/o B.M.Joseph, aged about 52 years, Occupation Sub Engineer, Public Health Engineering Department, Durg, Dist: Durg-(C.G.)

VERSUS

RESPONDENTS : 1. State of Chhattisgarh through the Secretary / Health Engineering Department, DKS Bhawan, Raipur-(C.G.)

2. State of Madhya Pradesh through the Secretary/Health Engineering Department, Vallabh Bhawan, Bhopal (M.P.)

3. The Secretary General Administration (GAD) and Re-organisationCell, Vallabh Bhawan, Bhopal – (MP)

4. Union of India through the Secretary Ministry of Personnel and Public grievances, New Delhi.

Writ Petition No. 1880 of 2003

PETITIONER : Mahendra Pal Singh Son of Mr. Hakim Singh P arihar aged about 47 years Assistant Grade-III, District Excise Officer Janjgir-Champa (C.G.)

VERSUS

RESPONDENTS : 1. State of Chhattisgarh Through its Chief Secretary D.K.S. Bhawan Mantralaya Raipur (C.G.)

2. Excise Commissioner Chhattisgarh, Raipur.

3. Collector District Janjgir-Champa Chhattisgarh.

4. District Excise Officer Janjgir-Champa (C.G.)

5. State of Madhya Pradesh Through its Chief Secretary Ballabh-Bhawan, Bhopal.

6. Commissioner Excise Gwalior (M.P.)

7. Union of India Through: Personnel Department New Delhi.

Writ Petition No. 1901 of 2003

PETITIONER : Satish Bagdare, Son of Shri Late Shankar Rao Bagdare, Age 44 years, Lab. Technician, Posted at Directorate of Veterinary, Raipur, Chhattisgarh.

VERSUS

RESPONDENTS : 1. Union of India, Through Secretary, Department of Personnel & Administration, Lok Nayak Bhawan, Khan Market, New Delhi.

2. State of Madhya Pradesh, Through Secretary, General Administration Department (State Reorganisation Cell), Mantralaya, Vallabh Bhawan, Bhopal (M.P.)

3. State of Chhattisgarh, Through Secretary, Department of Veterinary Services, Mantralaya, D.K.S. Bhawan, Raipur Chhattisgarh.

4. Director, Veterinary Services, Raipur, Chhattisgarh.

Writ Petition No. 1989 of 2003

PETITIONER : Baijnath Kol S/o Galauda Pd. Kol, aged about 38 years, Assistant Grade-2 Office of the Executive Engineer, Public Works Department Division, Pendra, District Bilaspur (CG) Permanent Resident of Village: 'Kachhagavan, P.O.: Jhinjhri, Tahsil and District Katni (MP).

VERSUS

RESPONDENTS : 1) State of Chhattisgarh Through the Secretary, Public Works Department, DKS Bhawan, Raipur (CG)

2) State of Madhya Pradesh Through the Secretary, Public

Works Department, Vallabh Bhawan, Bhopal (MP).

3) The Secretary, General Administration Deptt. & Re-organisation Cell, Vallabh Bhawan, Bhopal (MP)

4) Union of India Through the Secretary, Ministry of Personnel & Public Grievances, New-Delhi.

Writ Petition No. 2089 of 2003

PETITIONER : SUSHIL SINGH SENGAR, SON OF SHRI RAJ SINGH SENGAR, AGED ABOUT 43 YEARS, PERMANENT RESIDENT OF J-404 DARPAN COLONY, GWALIOR (M.P.) PRESENTLY RESIDING AT NARAYANPUR, DISTT. BASTAR.

VERSUS

RESPONDENTS : 1. STATE OF CHHATTISGARH THROUGH THE CHIEF SECRETARY, GOVERNMENT OF CHHATTISGARH, DAU KALYAN SINGH BHAWAN, RAIPUR.

2. STATE OF M.P. THROUGH THE SECRETARY, MINISTRY OF TRIBAL WELFARE, VALLABH BHAWAN, BHOPAL.

3. UNION OF INDIA THROUGH THE SECRETARY, MINISTRY OFPERSONNEL, PUBLIC GRIEVANCES AND PENSION, 3RD FLOOR, LOK NAYAK BHAWAN, KHAN MARKET, NEW DELHI.

4. S.H.CHOUHAN, LECTURER (ENGLISH) GOVERNMENT HIGHER SECONDARY SCHOOL, SATHNER DISTRICT BAITUL (M.P.)

Writ Petition No. 2163 of 2003

PETITIONER : Gopal Das Kataria Aged about 34 years S/o Shri M.B.Kataria Sub Engineer Office of the Sub Divisional Officer, Department of Water Resources Sub Division Marwahi Division-Pendra Road (Marwahi) District-Bilaspur (Chhattisgarh)

VERSUS

RESPONDENTS :

1. State of Chhattisgarh Through Secretary Department of Water Resources D.K.S. Bhawan, Mantralaya Raipur (Chhattisgarh)
2. Union of India Through Director Department of Personnel and Training Ministry of Personnel, Public Grievances and Pension Government of India Room No. 312, Lok Nayak Bhawan 3rd Floor, Khan Market (State Reorganisation Cell) Khan Market, New Delhi – 110003
3. State of Madhya Pradesh Through the Principal Secretary Department of Water Resources Mantralaya, Vallabh Bhawan, Bhopal (M.P.)

Writ Petition No. 2166 of 2003

PETITIONER : RAM KUMAR SHARMA AGE 55 YEARS SON OF SHRI RAM BHAROSE SHARMA ASSISTANT STATISTICAL OFFICER OFFICE OF DIRECTORATE OF VETERINARY IN FRONT OF GHASIDAS SMARAK G.E. ROAD, RAIPUR C.G. PERMANENT ADDRESS – WATER WORKS ROAD, BHIND M.P. AT PRESENT – MD 191, HIRAPUR, RAIPUR

(98)

VERSUS

RESPONDENTS : 1. UNION OF INDIA THROUGH SECRETARY – DEPARTMENT OF PERSONNEL, PUBLIC GRIEVANCES AND PENSION, KHAN MARKET NEW DELHI.

2. STATE OF MADHYA PRADESH THROUGH SECRETARY (VETERINARY) MANTRALAYA, VALLABH BHAWAN, BHOPAL (M.P.)

3. STATE OF CHHATTISGARH, THROUGH SECRETARY (VETERINARY) MANTRALAYA, D.K.S. BHAWAN, G.E. ROAD, RAIPUR (C.G.)

4. STATE RE-ORGANISATION CELL THROUGH SECRETARY VALLABH BHAWAN, BHOPAL M.P.

Writ Petition No. 2186 of 2003

PETITIONER : 1. Dr. Omeshwar Prasad Dubey, S/o. Shri G.P.Dubey, aged about 49 years, Occupation-Service, R/o. Gurunanak Colony, Distt.-Datia (M.P.)

2. Dr. Umashankar Soni, S/o. Shri Ishwar Prasad Soni, aged about 50 years, Occupation-Service, R/o. Sadoragaon, Distt. Guna (M.P.)

3. Dr. Anwar Hussain Khan, S/o. Late Mohd. Hussain Khan, aged about 51 years, Occupation-Service, R/o. Silari, Distt.- Raisen (M.P.)

VERSUS

RESPONDENTS : 1. Union of India, Through the Secretary Department of Personal and Training, Ministry of Home affairs, New Delhi.

2. State of C.G. through the Secretary, Department of Health & Family Welfare, D.K.S. Bhawan, Raipur (C.G.)

3. State of M.P. through the Secretary, Department of Healdth & Family Welfare, Vallabh Bhawan, Bhopal (M.P.)

4. State of C.G. through the secretary, Member State Advisory Committee D.K.S. Bhawan, Raipur (C.G.)

5. Commissioner, Indian System of Medicine & Homeopathic, Bhopal (M.P.)

6. Director, Indian System of Medicine & Homeopathic, Bhopal (M.P.)

7. Director, Indian System of Medicine & Homeopathic, Raipur (C.G.)

8. The Chairman, State Advisory Committee (State Re-organisation Cell) M.P. Govt., G.A.D. Mantralaya, Vallabh Bhawan, Bhopal (M.P.)

Writ Petition No. 2208 of 2003

PETITIONER : Suresh Kumar Varma, aged about 46 years, S/o B.L.Varma, Assistant Grade-2, allocated to State of Chhattisgarh presently on deputation to the Personnel Establishment of Finance Minister of State of Madhya Pradesh at Bhopal (Madhya Pradesh)

VERSUS

RESPONDENTS : 1. Union of India through Secretary, Department of Personnel and Training, Ministry of Home Affairs, New Delhi.

2. State of Chhattisgarh through the Secretary, General Administration Department, D.K.S. Bhawan, Raipur (Chhattisgarh)

3. State of Madhya Pradesh through Secretary, General Administration Department, Vallabh Bhawan, Bhopal (Madhya Pradesh)

4. State of Madhya Pradesh through Secretary, Department of Finance Vallabh Bhawan, Bhopal (Madhya Pradesh)

5. Advisory Committee constituted under section 71 of the Madhya Pradesh Re-organisation Act 2000, State Re-organisation Cell, Vallab Bhawan, Bhopal (Madhya Pradesh)

Writ Petition No. 2230 of 203

PETITIONER : Mukund Ram Sahu S/o Shri Chotu Ram Sahu, aged about 40 years, R/o Qr. No. 22/335, Badai Para, Hanuman Mandir Marg, Raipur, Dist: Raipur-(C.G.)

VERSUS

RESPONDENTS : 1. Chhattisgarh State Co-operative Marketing Federation Ltd., Through its Secretary, Chhattisgarh State Marketing Federation Ltd., Head Office-880 Civil Line, Raipur, Dist: Raipur (C.G.)

2. Madhya Pradesh State Co-operative Marketing Federation Ltd., Through its Secretary, H.O.-Jahanginabad, Bhopal (M.P.)

3. Managing Director Chhattisgarh State Co-operative Marketing Federation Ltd., 880, Civil Line, Raipur.

(101)

4. Managing Director, Madhya Pradesh State Co-operative Marketing Federation Ltd., Jahanginabad, Bhopal (M.P.)

Writ Petition No. 2240 of 2003

PETITIONER : Nand Kumar Chandrakar S/o Shri Bal Govind Chandrakar, Aged about 47 years, R/o Qr. No. HIJ-20, Arvino Inclave (Dauda Colony), Behind Laxmi Talkies, Pachpedi Nakar, Raipur, Dist: Raipur (C.G.)

VERSUS

RESPONDENTS : 1. Chhattisgarh State Co-operative Marketing Federation Ltd., Through its Secretary, Chhattisgarh State Marketing Federation Ltd., Head Office-880 Civil Line, Raipur, Dist: Raipur – (C.G.)

2. Madhya Pradesh State Co-operative Marketing Federation Ltd., Through its Secretary, H.O. – Jahanginabad, Bhopal- (M.P.)

3. Managing Director Chhattisgarh State Co-operative Marketing Federation Ltd., 880, Civil Line Raipur, C.G.

4. Managing Director Madhya Pradesh State Co-operative Marketing Federation Ltd., Jahanginabad, Bhopal, M.P.

Writ Petition No. 2241 of 2003

PETITIONER : Pardeshi Ram Verma S/o Shri Lahar Ram Verma, aged about 46 years, R/o Kisan Rice Mill, Kawardha, Dist: Kawardha – (C.G.)

VERSUS

RESPONDENTS : 1. Chhattisgarh State Co-operative Marketing Federation Ltd., Through its Secretary, Chhattisgarh State Marketing Federation Ltd., Head Office-880 Civil Line, Raipur, Dist: Raipur - (C.G.)

2. Madhya Pradesh State Co-operative Marketing Federation Ltd., Through its Secretary, H.O. – Jahanginabad, Bhopal (M.P.)

3. Managing Director, Chhattisgarh State Co-operative Marketing Federation Ltd., 880, Civil Line, Raipur (C.G.)

4. Managing Director, Madhya Pradesh State Co-operative Marketing Federation Ltd., Jahanginabad, Bhopal M.P.

Writ Petition No. 2242 of 2003

PETITIONER : Ashok Kumar Nigam S/o Ramanugrah Nigam, aged about 45 years, r/o. 2/I 38 Sector 6, Bhilai Nagar, Dist: Durg - (C.G.)

VERSUS

RESPONDENTS : 1. Chhattisgarh State Co-operative Marketing Federation Ltd., Through its Secretary, Chhattisgarh State Marketing Federation Ltd., Head Office-880 Civil Line, Raipur, Distt: Raipur – (C.G.)

2. Madhya Pradesh State Co-operative Marketing Federation Ltd., Through its Secretary, H.O – Jahanginabad, Bhopal (M.P.)

3. Managing Director Chhattisgarh State Co-operative Marketing Federation Ltd., 880, Civil Line, Raipur (C.G.)

4. Managing Director Madhya Pradesh State Co-operative Marketing Federation Ltd., Jahanginabad, Bhopal M.P.

Writ Petition No. 2243 of 2003

PETITIONER : C.P.Chandrakar S/o Late D.S.Chandrakar, aged about 43 years, R/o Kisan Rice Mill, Staff Quarter Gram Salud, Dist: Durg – (C.G.)

VERSUS

RESPONDENTS : 1. Chhattisgarh State Co-operative Marketing Federation Ltd., Through its Secretary, Chhattisgarh State Marketing Federation Ltd., Head Office – 880 Civil Line, Raipur, Dist: Raipur- (C.G.)

2. Madhya Pradesh State Co-operative Marketing Federation Ltd., Through its Secretary, H.O. – Jahanginabad, Bhopal– (M.P.)

3. Managing Director Chhattisgarh State Co-operative Marketing Federation Ltd., 880, Civil Line Raipur, C.G.

4. Managing Director Madhya Pradesh State Co-operative Marketing Federation Ltd., Jahanginabad, Bhopal, M.P.

Writ Petition No. 2244 of 2003

PETITIONER : Anil Kumar Sharma S/o Shri G.P.Sharma, aged about 44 years, R/o Bandaran Kendra, Pandariya, Dist: Kawardha – (C.G.)

VERSUS

RESPONDENTS : 1. Chhattisgarh State Co-operative Marketing Federation Ltd., Through its Secretary, Chhattisgarh State Marketing Federation Ltd., Head Office- 880 Civil Line, Raipur, Dist: Raipur – (C.G.)

2. Madhya Pradesh State Co-operative Marketing Federation Ltd., Through its Secretary, H.O. – Jahanginabad, Bhopal (M.P.)

3. Managing Director, Chhattisgarh State Co-operative Marketing Federation Ltd., 880, Civil Line, RAIPUR (C.G.)

4. Managing Director, Madhya Pradesh State Co-operative Marketing Federation Ltd., Jahanginabad, BHOPAL (M.P.)

Writ Petition No. 2245 OF 2003

PETITIONER : Virendra Kumar Tiwari S/o Shri Nathuni Tiwari, aged about 46 years, R/o Apex Kisan Rice Mill, Baloda Bazar, Dist: Raipur – (C.G.)

VERSUS

RESPONDENTS : 1. Chhattisgarh State Co-operative Marketing Federation Ltd., Through its Secretary, Chhattisgarh State Marketing Federation Ltd., Head Office – 880 Civil Line, Raipur, Dist: Raipur – (C.G.)

2. Madhya Pradesh State Co-operative Marketing Federation Ltd., Through its Secretary, H.O. – Jahanginabad, Bhopal – (M.P.)

3. Managing Director Chhattisgarh State Co-operative Marketing Federation Ltd., 880, Civil Line, RAIPUR (C.G.)

4. Managing Director Madhya Pradesh State Co-operative Marketing Federation Ltd., Jahanginabad, BHOPAL (M.P.)

Writ Petition No. 2777 of 2003

PETITIONER : Rajendra Prasad Mishra S/o Shri Jagdish Prasad Mishra, aged about 44 years R/o Vaishnav Colony, Kamla Sadan, Baloda Bazar, Dist: Raipur –(C.G.)

VERSUS

RESPONDENTS : 1. Chhattisgarh State Co-operative Marketing Federation Ltd., Through its Secretary, Chhattisgarh State Marketing Federation Ltd., Head Office – 880 Civil Line, Raipur, Dist: Raipur – (C.G.)

2. Madhya Pradesh State Co-operative Marketing Federation Ltd., Through its Secretary, H.O. – Jahanginabad, Bhopal – (M.P.)

3. Managing Director Chhattisgarh State Co-operative Marketing Federation Ltd., 880, Civil Line, Raipur – (C.G.)

4. Managing Director Madhya Pradesh State Co-operative Marketing Federation Ltd., Jahanginabad, Bhopal – (M.P.)

Writ Petition No. 2842 of 2003

PETITIONER : B.L.Chandrakar S/o Shri Thagguram Chandrakar Aged about 44 years, R/o Vilage – Sirsida, Post Office- Matwari, Tahsil- Gunderdehi, District-Durg (C.G.)

VERSUS

RESPONDENTS : 1. Chhattisgarh State Co-operative Marketing Federation Ltd, Through-its Secretary, Head Office 880 Civil Line, Raipur, Distt. Raipur (C.G.)

2. Madhya Pradesh State Co-operative Marketing Federation Ltd., Through – its Secretary, H.O. Jahangirabad, Bhopal (M.P.)

3. Managing Director, Chhattisgarh State Co-operative Marketing Federation Ltd., 880 Civil Line Raipur (C.G.)

4. Managing Director, Madhya Pradesh State Co-operative Marketing Federation Ltd., Jahangirabad, Bhopal (M.P.)

Writ Petition No. 2889 of 2003

PETITIONER : 1. Girdharilal Rai, aged about 42 years, S/o Late Shri Munshilal Rai, working as Asstt. Sub Inspector (Telecom) Technician

2. Harishankar Rai, aged about 52 years, S/o Late Shri Dayaram Rai, working as Head Constable (Telecom)

Both the petitioner No. 1 & 2 are posted in the 4th Battalion, CAF, Mana Camp, Raipur, District Raipur (Chhattisgarh)

3. Ram Prasad Bramhabhatta, aged about 52 years S/o Shri Dhaneshwar Prasad Bramhabhatta, working as Head Constable (Telecom)

4. Ram Ratan Sharma, aged about 42 years, S/o Ganga Prasad Sharma, working as Head Constable (Telecom)

5. Gokul Singh, aged about 52 years, S/o Gyadin Singh, working as Head Constable (Telecom)

6. Janak Ram Mishra, aged about 50 years, S/o Harnarayan Mishra, working as Head Constable (Telecom)

7. Maharaj Singh, aged about 53 years, S/o Dwarika Prasad Singh, working as Head Constable (Telecom)

Petitioner No. 3 to 7 are posted in the office of Suptd. Of Police (Telecom) Range, Head Quarter, Raipur (Chhattisgarh)

8. Mayaram Chaurasiya, aged about 42 years, S/o Shri Shripal Singh chaurasiya, working as Head Constable, Telecom (Technician), presently posted in the Police Head Quarters, District Mahasamund (Chhattisgarh)

9. Ram Kishore Sharm, aged about 48 years, S/o Shri C.L.Sharma, working as Asstt. Sub Inspector (Telecom) posted in the office of Suptd. Of Police (Telecom), Bilaspur (Chhattisgarh)

10. Narendra Kumar Verma, aged about 40 years, S/o Shri S.R. Verma, working as Constable (Telecom), Police Head Quarters, Raigarh, District Raigarh (Chhattisgarh)

VERSUS

RESPONDENTS : 1. Union of India, through the Secretary, Department of Personal/Public Grievances and Pension, Third Floor, Lok Nayak Bhawan, Khan Market, New Delhi

2. State of Madhya Pradesh through the Secretary, Department of Home Affairs, Vallabh Bhawan, Bhopal (M.P.)

3. State of Chhattisgarh through the Secretary, Department of Home Affairs, D.K.S. Bhawan, Mantralaya, Raipur, District Raipur (Chhattisgarh)

Writ Petition No. 2900 of 2003

PETITIONER : 1. Ramesh Vishwakarma, son of late Shri Ram Prasad Vishwakarma, aged about 53 years, Working as Assistant Grade-III.

2. Nathu Lal Chouhan, son of late Shri Pyarelal Chouhan, aged about 54 years, presently posted as Excise Head Constable.

3. Dubraj Singh Kanwar, son of late Shri Adharam Kanwar, aged about 50 years Presently posted as District Excise Officer.

All the petitioners are posted in the office of the District Excise Officer, Jashpurnagar, District Jashpurnagar, (C.G.)

VERSUS

RESPONDENTS : 1. Union of India, through the Secretary, Department of Personnel/Public Grievances and Pension, IIIrd Floor, Lok Nayak Bhawan, Khan Market, New Delhi.

2. State of Madhya Pradesh, through Secretary, Department of Excise Vallabh Bhawan, Bhopal, (M.P.)

3. State of Chhattisgarh, through Secretary, Department of Excise, D.K.S. Building, Mantralaya, Raipur, District Raipur (C.G.)

Writ Petition No. 2904 of 2003

PETITIONER : Deenbandhu Verma, S/o Late Shri Bhikhari Ram Verma, aged about 45 years, occupation – Service, Posted at Ekikrit Bal Vikas Pariyojna, Berla, Distt. Durg, R/o Berla Distt. Durg (C.G.)

(109)

VERSUS

RESPONDENTS : 1. Union of India, through the secretary, Department of personal and training Khan Marketing New Delhi.

2. State of Madhya Pradesh, through the Secretary Department of Panchayat and social welfare Department Vallabh Bhawan Bhopal M.P.

3. Commissioner proud Shiksha sanchayalay, Near Pariyavas Bhawan M.P. Bhopal

4. Commissioenr Mahila and Bal Vikas Sanchalaya parivas Bhawan M.P. Bhopal

5. State of Chhattisgarh, through the secretary Department of mahila and Bal Vikas D.K.S. Building Raipur C.G.

6. Deputy Director, Public Instructions, Raipur, Chhattisgarh.

Writ Petition No. 3364 of 2003

PETITIONER : Ramswaroop Kumhar, S/o Shri Late Ram Gopal Kumhar, aged about 44 years, R/o. Deviganj, Ward No. 13, Zodapeepal, Ambikapur, District – Surguja (C.G.)

VERSUS

RESPONDENTS : 1. State of Chhattisgarh Through Secretary Deptt. Of Labour D.K.S. Bhawan, Raipur (C.G.)

2. State of Madhya Pradesh Through the Secretary Deptt. Of Labour Administration, (State Reorganization Cell) Ministry, Satpura Bhawan, Bhopal (M.P.)

3. Union of India Through Secretary Ministry of Personal Grievances, Labour Deptt. Mantralaya, New Delhi.

Writ Petition No. 3496 of 2003

PETITIONER : 1. Ravindra Kumar Guru, Son of Shri Indra Prakash Guru, aged about 36 years, presently working as 'Constable' (Machinist), posted at 'Police Motor Transport Workshop' Bilaspur, District: Bilaspur (C.G.).

2. Santosh Kumar Bhawarkar, Son of Shri Suraj Bhawarkar, aged about 36 years, presently working as 'Constable', posted at Range Police, Motor Transport Workshop, Bilaspur, District: Bilaspur (CG).

VERSUS

RESPONDENTS : 1. Union of India, through the Secretary, Department of Personal & Training, Ministry of Home Affairs, New Delhi.

2. State of Madhya Pradesh through the Secretary, Department of Home Affairs, Vallabh Bhawan, Bhopal (M.P.)

3. State of Chhattisgarh through the Secretary, Department of Home Affairs, D.K.S. Bhawan, Mantralaya, Raipur (C.G.)

Writ Petition No. 3632 of 2003

PETITIONER : Rajendra Kumar Sharma, Son of D.D.Sharma, aged about 43 years, Presently working as Sub-Engineer, Public Works Department (E&M) Posted at Dantewada, District-Dantewada, (C.G.)

VERSUS

RESPONDENTS : 1. Union of India, through Secretary, Department of Personnel/Public Grievances and Pension, IIIrd Floor, Lok Nayak Bhawan, Khan Market, New Delhi.

2. State of Madhya Pradesh, through Secretary, Department of Public Works Department, Vallabh Bhawan, Bhopal (M.P.)

3. State of Chhattisgarh, through Secretary, Department of Public Works Department, D.K.S. Building, Mantralaya, Raipur, District-Raipur, (C.G.)

Writ Petition No. 3724 of 2003

PETITIONER : R.S.Koshta, S/o Shri K.P.Koshta, aged 43 years, Occupation-Service (Presently posted as Sub Divisional Officer, Water Resources Department Sub-Division Basna), R/o Sinchai Colony, Basna, District Mahasamund (C.G.)

VERSUS

RESPONDENTS : 1. Union of India through Secretary, Department of Personal & Training, New Delhi.

2. Director, Department of Personnel & Training, Government of India, New Delhi.

3. State of Chhattisgarh through Secretary, Water Resources Department, D.K.S. Bhavan, Raipur.

4. State of Madhya Pradesh through Principal Secretary, Water Resources Department, Vallabh Bhavan, Bhopal.

5. Engineer-in-Chief, Water Resources Department, Government of Chhattisgarh, Civil Lines, Raipur.

6. Engineer-in-Chief, Water Resources Department, Government of M.P. Amarkantak Bhavan, Press Complex, Bhopal.

(112)

7. Principal Secretary, State Reorganization Cell, Department of General Administration, Government of M.P. Vallabh Bhavan, Bhopal (M.P.).

8. Anok Chand Patidar, Assistant Engineer through Engineer-in-Chief, Water Resources Department, Government of M.P. Amarkantak Bhavan, Bhopal.

9. Anar-Ul-Haq, Assistant Engineer through Engineer-in-Chief, Water Resources Department, Government of Madhya Pradesh, Amarkantak Bhavan, Bhopal.

Writ Petition No. 3936 of 2003

PETITIONER : K.S.Mishra, S/o Late Shri R.S.Mishra, aged 46 years, Occupation-Service (Working as Assistant Engineer in Water Resources Department of the State of Chhattisgarh and presently posted as Assistant Engineer, Sericulture Project Bilaspur), R/o 44/60, Jabdapara, Sarkanda, Bilaspur (C.G.)

VERSUS

RESPONDENTS : 1. Union of India through Secretary, Department of Personal & Training, New Delhi.

2. Director, Department of Personnel & Training, Government of India, New Delhi.

3. State of Chhattisgarh through Secretary, Water Resources Department, D.K.S. Bhavan, Raipur.

4. State of Madhya Pradesh through Principal Secretary, Water Resources Department, Vallabh Bhavan, Bhopal.

(113)

5. Engineer-in-Chief, Water Resources Department, Government of Chhattisgarh, Civil Lines, Raipur.

6. Engineer-in-Chief, Water Resources Department, Government of M.P. Amarkantak Bhavan, Press Complex, Bhopal.

7. Principal Secretary, State Reorganization Cell, Department of General Administration, Government of M.P. Vallabh Bhavan, Bhopal (M.P.)

Writ Petition No. 298 of 2004

PETITIONER : Dr. Hardayal Goyal, S/o. Shri Ganeshram Goyal, aged about 47 years, R/o. Village-Hinnikapura, Tah.-Gohad, District-Bihind (M.P.)

VERSUS

RESPONDENTS : 1. Union of India, Through the Secretary, Department of Personal and Training, Ministry of Home affairs, New Delhi.

2. State of Chhattisgarh Through the Secretary Department of Health and Family Welfare, D.K.S. Bhawan, Raipur (C.G.)

3. State of Madhya Pradesh Through the Secretary Department of Health and Family Welfare, Vallabh Bhawan Bhopal (M.P.)

4. The Chairman State Advisory Committee (State Re-organisation Cell) M.P. Govt., G.A.D. Mantralaya Vallabh Bhawan, Bhopal (M.P.)

(114)

Writ Petition No. 321 of 2004

PETITIONER : Gopi Lal Bharti S/o Late N.R.Bharti, aged about 53 years, Inspector, PHQ Raipur, R/o Village-Kherla, Post-Raja Ka Tor, Tehsil – Sambalgarh, District – Morena (M.P.)

VERSUS

RESPONDENTS : 1. Union of India, through Secretary, Department of Home, New Delhi.

2. State of Chhattisgarh, Through Secretary, Department of Home, Mantralaya, Shastri Chowk, Raipur (C.G.)

3. State of Madhya Pradesh, Through Secretary, Department of Home.

4. Mantralaya, Vallabh Bhawan, Bhopal (M.P.)

5. Superintendent of Police, Datia (M.P.)

Writ Petition No. 4366 of 2004

PETITIONER : ANANT NARAYAN KHARE S/o Shri M.M.Khare, Age about 47 years, Occupation: Service, Fishries Inspector (Matasya Palan Prasar Karyakarta) Posted at Jashpur, Tahsil & Distt – Jashpur Nagar. (C.G.)

VERSUS

RESPONDENTS : 1. UNION OF INDIA, Trough The Secretary, Department of personal and training, Khan Marketing, New Delhi.

2. STATE OF CHHATTISGARH, Trough the Secretary, Agriculture / Fisheries Department D.K.S. Building Raipur (C.G.)

3. STATE OF MADHYA PRADESH Through is Secretary, Agriculture / Fisheries Department, Vallabh Bhavan, Bhopal (M.P.)

4. COMMISSIONER, Fisheries Department DKS Building, Raipur (C.G.)

5. DIRECTOR, Agriculture and Fisheries Department Chhattisgarh, Raipur (C.G.)

6. KHEM NIDHI NAYAK, Occupation:-Service, Posted at Matasya Palan Prasar Karyakarta, Shadol, Distt-Shadol (M.P.)

Writ Petition No. 3025 of 2004

PETITIONER : 1. GOVIND SINGH SENGAR, SON OF SHRI KAMAL SINGH SENGAR, AGED ABOUT 34 YEARS, CONSTABLE NO. 236, PRESENTLY POSTED AT DISTT. DURG, RESIDENT OF – KALA, TAH. DEVRI, P.S. KESLI, DISTT. SAGAR (MADHYA PRADESH)

2. KARAN SINGH YADAV, SON OF SHRI RAMSWARUP YADAV, AGED ABOUT 36 YEARS, PRESENTLY POSTED AT DURG, CONSTABLE NO. 1008, RESIDENT OF BHAMAURA, TAH. NIWADI, P.S. DEHARKA, DISTT. TEEKAMGARH (MADHYA PRADESH)

3. VIRENDRA CHOUBEY, SON OF SHRI INDRA BAHADUR CHOUBEY, CONSTABLE NO. 706, AGED ABOUT 36 YEARS, PRESENTLY POSTED AT DURG, RESIDENT OF VILLAGE PATNA.

VERSUS

RESPONDENTS : 1. UNION OF INDIA, THROUGH: THE SECRETARY, DEPARTMENT OF PERSONNEL, PUBLIC GRIEVANCE AND PENSION, THIRD FLOOR LOKNAYAK BHAWAN, KHAN MARKET, NEW DELHI.

2. THE STATE OF MADHYA PRADESH, THROUGH SECRETARY, DEPARTMENT OF HOME AFFAIRS, VALLABH BHAWAN, BHOPAL (MP)

3. THE STATE OF CHHATTISGARH, THROUGH : SECRETARY, DEPARTMENT OF HOME AFFAIRS, MANTRALAYA, RAIPUR (C.G.)

4. THE DIRECTOR GENERAL OF POLICE, RAIPUR, CHHATTISGARH.

5. THE INSPECTOR GENERAL OF POLICE (PERSONNEL) RAIPUR, CHHATTISGARH.

6. THE SUPERINTENDENT OF POLICE, DISTT. DURG (C.G.)

Writ Petition No. 310 of 2004

PETITIONER : Mohan Lal Sahu S/o Shri Jeewan Lal Sahu, Age about 42 years, Occupation: Supervisor, Mahila Bal Vikas Mainpur, Distt: Raipur (C.G.)

VERSUS

RESPONDENTS : 1) Union of India, Through the Secretary, Education Department New Delhi.

2) State of M.P. Through the Secretary, School Education Department, D.K.S. Bhawan, Bhopal (M.P.)

3) State of Chhattisgarh, Through the Secretary, School Education Department, Raipur (C.G.)

4) Commissioner Mahila and Bal Vikas Paryavash Bhawan Bhopal (M.P.)

5) Director, Mahila and Bal Vikas Chhattisgarh, Raipur (C.G.)

6) Dypt. Director, Lok Shikshan, Sanchanalaya Bhopal (M.P.)

7) Asst. Director, Lok Shikshan Chhattisgarh Raipur (C.G.)

Writ Petition No. 355 of 2004

PETITIONER : Chandra Mohan Mishra S/o Late Shri Ramesh Chandra Mishra, Aged about 45 years, Dy. Collector, Bilaspur, Chhattisgarh.

VERSUS

RESPONDENTS : 1. Union of India, Through: Secretary, Ministry of Personnel, Public Grievances and Pension (Personnel & Training Department) New Delhi.

2. State of Chhattisgarh Through : Secretary, Department of General Administration, Mantralaya, D.K.S. Building, Raipur (C.G.)

3. State of Madhya Pradesh, Through: Secretary, Department of General Administration, Vallabh Bhawan, Bhopal (M.P.)

4. The Collector, Bilaspur District Bilaspur (C.G.)

Writ Petition No. 2078 of 2004

PETITIONER : Smt. Anita Rohatagi, aged about 44 years, W/o Shri Amlendra Rohatagi, Assistant Grade-2, posted at office of Development Commissioner, Raipur, District Raipur (Chhattisgarh)

(118)

VERSUS

RESPONDENTS : 1. Union of India through the Secretary, Personnel and Training Department, 3rd Floor Lokmanya Bhawan, Khan Market, New Delhi

2. State of Chhattisgarh through the Secretary, Department of Panchayat & Rural Development, D.K.S. Bhawan, Mantralaya, Raipur (Chhattisgarh)

3. State of Madhya Pradesh through the Secretary, Department of Panchayat & Rural Development, Vallabh Bhawan, Bhopal (Madhya Pradesh)

Writ Petition No. 320 of 2004

PETITIONER : Rameshwar Dayal Mourya S/o Pati Ram Mourya, aged about 46 years, Inspector, PHQ Raipur, R/o Village-Ekona, Post Behat, Gwalior, District-Gwalior (M.P.)

VERSUS

RESPONDENTS : 1. Union of India, through Secretary, Department of Home, New Delhi.

2. State of Chhattisgarh, Through Secretary, Department of Home, Mantralaya, Shastri Chowk, Raipur (C.G.)

3. State of Madhya Pradesh, Through Secretary, Department of Home, Mantralaya, Vallabh Bhawan, Bhopal (M.P.).

4. Superintendent of Police, Bhopal (M.P.).

(119)

Writ Petition No. 4468 of 2004

PETITIONER : Nanku Singh Negi Aged about 52 years S/o – Late Bhag Singh Negi Section Commander First Battalion – Bhilai Comp at Farspal Dantewada (Chhattisgarh)

VERSUS

RESPONDENTS : 1) Union of India Through – Secretary, Public grievances and Govt. of India.

2) State of Chhattisgarh Through: Secretary, Department of Home (Police) Raipur (C.G.)

3) State of Madhya Pradesh, Through: Secretary, Department of Home (Police) Bhopal (M.P.)

4) Director General of Police, Police Head Quarter, Raipur (C.G.)

5) Superintendent of Police Dantewada Distt – Dantewada (C.G.)

Writ Petition No. 921 of 2004

PETITIONER : Vinod Kumar Gu pta Age 50 years S/o Shri Basant Lal (Stenographer Gr. II) Permanent Address- H-65, A-Sector, Sonagiri, BHOPAL At present M.D. 189, Hirapur Tehsil and Distt. RAIPUR (C.G.)

VERSUS

RESPONDENTS : 1. Union Of India Through – Secretary Department of Personal and Training Ministry of Personal, Public Grievances and Pensions, (State Re-organization Cell) Loknayak Bhawan, Khan Market, New Delhi.

2. State of Madhya Pradesh Through-Secretary Department of Finance, Mantralaya, Vallab Bhawan, Bhopal.

3. State of Chhattisgarh Through- Addl. Chief Secretary, Department of Finance, Mantralaya, D.K.S. Bhawan Raipur.

4. The Commissioner, Office of the Directorate of Treasury, Accounts and Pension (Govt. Of M.P.) Paryavas Bhawan, 5th floor, Jail Road, Bhopal.

5. The Commissioner, Office of the Directorate of Treasury, Accounts and Pension (Govt. of C.G.) Anand Nagar Raipur (C.G.)

Writ Petition No. 82 of 2004

PETITIONER : 1. Umesh Kumar Mishra S/o Shri Ram Kripal Mishra, Aged about 40 years, Presently working as Assistant Sub Inspector (Telecom). Posted at Unit 4th Battalion Mana, Police Head Quarters, Raipur (Telecom), District: Raipur (C.G.)

2. Girish Kumar Malviya, S/o Shri D.R.Malviya, Aged about 39 years, Presently working as Assistant Sub Inspector (Telecom). Posted at Police Headquarters Raipur (Telecom). District: Raipur (C.G.)

VERSUS

RESPONDENTS : 1. Union of India, Through: The Secretary, Department of Personnel, Public Grievances and Pension, 3rd Floor, Lok Nayak Bhawan, Khan Market, New Delhi.

2. State of Madhya Pradesh, Through: The Secretary, Department of Home, Vallabh Bhawan, Mantralaya, Bhopal (M.P)

3. State of Chhattisgarh, Through: The Secretary, Department of Home, D.K.S. Building, Mantralaya, Raipur (C.G.)

(121)

Writ Petition No. 4637 of 2004

PETITIONER : 1. Gulab Das Banka, S/o Vikaji Banka, Aged about 41 years, presently posted and working as Constable (Telecom), Police Head Quarters, Rajnandgaon, District Rajnandgaon (Chhattisgarh)

2. Ratan Lal Lodwal, S/o Mangelal, Aged about 42 years, presently posted and working as Constable (Telecom), Police Head Quarters, Rajnandgaon, Dist. Rajnandgaon (Chhattisgarh).

VERSUS

RESPONDENTS : 1. Union of India Through the Secretary, Department of Personnel, Public Grievances and Pension, Third Floor, Lok Nayak Bhawan, Khan Market, New Delhi.

2. State of Madhya Pradesh Through the Secretary, Department of Home Affairs, Vallabh Bhawan, Bhopal (M.P.).

3. State of Chhattisgarh Through the Secretary, Department of Home Affairs, D.K.S. Building, Mantralaya, Raipur, Chhattisgarh.

Writ Petition No. 4815 of 2004

PETITIONER : Rajesh Thakur, S/o Mathura Prasad Thakur, Aged about 34 years, Presently posted and working as Constable (No. 556), Police Station Dongargarh, Dist. Rajnandgaon (Chhattisgarh).

VERSUS

RESPONDENTS : 1. Union of India, Through the Secretary, Department of Personnel, Public Grievances and Pension, Third Floor, Lok Nayak Bhawan, Khan Market, New Delhi.

2. State of Madhya Pradesh Through the Secretary, Department of Home Affairs, Vallabh Bhawan, Bhopal (M.P.)

3. State of Chhattisgarh Through the Secretary, Department of Home Affairs, D.K.S. Building, Mantralaya, Raipur, Chhattisgarh.

Writ Petition No. 4889 of 2004

PETITIONER : Dr. Surya Prakash Upadhyay, aged 30 years, S/o Late Shri R.C.Upadhyay, R/o Veterinary Assistant Surgeon, Veterinary Hospital, Gandai, District Rajnandgaon (Chhattisgarh)

VERSUS

RESPONDENTS : 1. Union of India, through the Secretary, Ministry of Personnel, Public Grievance and Pension, Department of Personnel and Training, Govt. of India, Third Floor, Loknayak Bhavan, Khan Market, New Delhi.

2. State of Madhya Pradesh, through its Principal Secretary, Department of Veterinary, Govt. of M.P. Mantralaya, Bhopal

3. State of Chhattisgarh, through its Secretary, Department of Veterinary, D.K.S. Bhawan, Raipur (C.G.)

Writ Petition No. 217 of 2005

PETITIONER : Harilal Jataw, S/o. Shri Rammu Lal Jataw, Aged about 42 years, Occupation Service, Presently R/o. Ramanujnagar, Tahsil Surajpur, Distt. Surguja (C.G.)

RESPONDENTS : 1. State of Chhattisgarh, Through the Secretary, Public Health & Family Welfare Department, D.K.S. Bhawan, Raipur (C.G.)

2. The General Administration Department, Through the Secretary & Re-organisation Cell, Vallabh Bhawan, Bhopal (M.P.)

3. General Administration Department, Through The Secretary, D.K.S. Bhawan, Raipur (C.G.)

4. The Director, Medical Services, D.K.S. Bhawan, Raipur (C.G.)

5. The Chief Medical Officer, Ambikapur, Distt. Surguja (C.G.)

6. The Block Medical Officer, C.H.C. Ramanujnagar, Distt. Surguja (C.G.)

7. Union of India, Through the Secretary & Ministry of Personnel & Public Grievances, New Delhi, India.

Writ Petition No. 461 of 2006

PETITIONER : Ram Bahadur Patel, aged about 35 years, S/o Shri Budhsen Patel, at present working as a peon, Middle School Nemed Tahsil Bijapur, Distt. Dantewada, C.G. (under the Tribal Welfare Deptt.) R/o. village Nemed, Tahsil Bijapur, Distt. Dantewada, C.G.

VERSUS

RESPONDENTS : 1) State of Chhattisgarh, through the Secretary, Tribal Welfare Department, D.K.S. Bhawan, Raipur (C.G.)

2) The Assistant Commissioner, Tribal Welfare Department, Jagdalpur, Distt. Bastar CG.

3) Block education Officer, Block Development Bijapur, Distt. Dantewada, C.G.

4) The Secretary, Chhattisgarh State Antyavasayi Sahakari Vitt & Vikas Nigam, Maryadit, R-12 Anupam Nagar, Raipur (C.G.)

5) Managing Director, Energetic Vikas Institution, Rajiv Gandhi Bhawan, 35 Shyamala Hills Bhopal, M.P.

Writ Petition No. 198 of 2005

PETITIONER : Pratish Kumar Bakshi S/o late P.P.Bakshi, aged about 47 years, Sub Engineer (Water Resourcement department) Office of Executive Engineer, Water Resourcement Dn. No. 1, Raipur (C.G.)

VERSUS

RESPONDENTS : 1) The Union of India, Through:- Secretary, Ministry of Personal, Public Grievances and Pension – Khan Market New Delhi.

2) State of Chhattisgarh Through:- Secretary, Department of Water Resourcement Mantralaya, Raipur (C.G.)

3) The State of Madhya Pradesh, Through:- Secretary, Department of Water Resourcement Wallabh Bhawan, Bhopal (M.P.)

4) The State of Madhya Pradesh Through:- The Secretary G.A.D. State Reorganisation Cell Wallabh Bhawan, Bhopal (M.P.)

Writ Petition No. 26 of 2005

PETITIONER : Smt. Shobha Sharma, W/o- Shri Ghanshyam Sharma, Aged about 45 Years, Occupation-Asst. Grade-II at Directorate Of Health Services D.K.S. Bhawan Raipur (C.G.), R/o- M.D. 221, Hosing Board Colony, Veer Sawarkar Nagar Heerapur Raipur (C.G.)

VERSUS

RESPONDENTS : 1. Union Of India Through it's Secretary Department Of Personnel & Training IIIrd Floor, Lok Nayak Bhawan Khan Market, New Delhi.

2. State of Chhattisgarh Through it's Chief Secretary Department of General Administration, D.K.S. Bhawan Raipur (C.G.)

3. State of Chhattisgarh Through it's Secretary Department of Health & Family Development, D.K.S. Bhawan, Raipur (C.G.)

4. State of Madhya Pradesh Through it's Chief Secretary Department of General Administration, Ballav Bhawan, Bhopal (M.P.)

5. State of Madhya Pradesh Through it's Secretary Department of Health & Family Development, Ballav Bhawan, Bhopal (M.P.)

6. Director, Health Services Directorate Raipur (C.G.)

7. Director, Health Services Directorate Bhopal (M.P.)

Writ Petition No. 3305 of 2005

PETITIONER : S.K.Beohar, son of late H.L.Beohar, aged about 45 years, Rural Agriculture Extention Officer (R.A.C.O.), Vikas Khand, Bilaigarh, District Raipur, (C.G.), permanent resident of near Old Girls School, Sehora Road, Jabalpur (M.P.)

VERSUS

RESPONDENTS : 1. Union of India, through Secretary, Ministry of Personnal Public Grievances and Pension, Khan Market, New Delhi.

(126)

2. State of Chhattisgarh, through Secretary, Department of Agriculture, D.K.S. Building, Mantralaya, Raipur, District-Raipur (C.G.)

3. State of Madhya Pradesh, through Secretary, Department of Agriculture Vallabh Bhawan, Bhopal, (M.P.)

4. The Director, Directorate of Agriculture department, Chhattisgarh, Labhandi, Raipur, District – Raipur, (C.G.)

5. The Director, Directorate of Department of Agriculture, Bhopal, (M.P.)

Writ Petition No. 3239 of 2005

PETITIONER : R.K.Litoria S/o R.P.Litoria, aged about 45 years, Rural Agriculture Extension Officer, Vikas Khand Bilaigarh, District Raipur [CG] Permanent R/o Sihora, District Jabalpur [M.P.]

VERSUS

RESPONDENTS : 1] Union of India, Through – Ministry of Personal Public Grievances and Pension, Khan Market, New Delhi.

2] State of Chhattisgarh, through Secretary, Department of Agriculture, D.K.S. Bhavan, Mantralaya, Raipur [C.G.]

3] State of Madhya-Pradesh, through Secretary, Department of Agriculture Vallabh Bhawan, Bhopal [M.P.]

4] The Director, Directorate of Agriculture Department, Chhattisgarh, Labhandi Raipur, District Raipur [C.G.]

5] The Director, Directorate of Department of Agriculture, Bhopal [M.P.]

Writ Petition No. 3240 of 2005

PETITIONER : M.D.Dadhore S/o B.L. Dadhore, aged about 45 years, Rural Agriculture Extension Officer Surajpur, Sub Division Surajpur, District Surguja [Ambikapur][CG] Permanent R/o Tiwari Compound I.T.I. Road, Hoshangabad [M.P.]

VERSUS

RESPONDENTS : 1] Union of India, Through- Ministry of Personal Public Grievances and Pension, Khan Market, New Delhi.

2] State of Chhattisgarh, through Secretary Department of Agriculture, D.K.S. Bhavan, Mantralaya, Raipur [C.G.].

3] State of Madhya-Pradesh, through Secretary, Department of Agriculture Vallabh Bhavan, Bhopal [M.P.]

4] The Director, Directorate of Agriculture Department, Chhattisgarh, Labhandi, Raipur, District Raipur [C.G]

5] The Director, Directorate of Department of Agriculture, Bhopal [M.P.]

Writ Petition No. 2066 of 2005

PETITIONER : Lakhan Lal Larya, S/o Shri Lalaram Larya, aged about 42 years, R/o Bilaspur, Distt- Bilaspur (C.G.)

VERSUS

RESPONDENTS : 1. Union of India, Through: Secretary, Ministry of Public Grievances and Pension, Department of Personnel and Training, 3rd Floor, Lok Nayak Bhawan, Khan Market, New-Delhi.

2. State of Chhattisgarh, Through: Chief Secretary, Govt. of Chhattisgarh, D.K.S. Bhawan, Raipur- (C.G.)

3. State of Madhya Pradesh, Through: The Principal Secretary, General Administration Department (State Re-Organisation Cell) Mantralaya, Vallabh Bhawan, Bhopal (M.P.)

4. State of Madhya Pradesh, Through : Principal Secretary, Department of Panchayat and Social Welfare, Govt. of Madhya Pradesh, Vallabh Bhawan, Bhopal (M.P.)

5. Director, Panchayat and Social Welfare, M.P. Bhopal (M.P.)

Writ Petition No. 216 of 2005

PETITIONER : Shambhu Prasad Mishra, S/o. Shri Gambhir Prasad Mishra, Aged about 39 years, Occupation-Service, Presently R/o. Ramanujnagar, Tah-Surajpur, Distt. Surguja (C.G.).

VERSUS

RESPONDENTS : 1. State of Chhattisgarh, Through the Secretary, Public Health & Family Welfare Department, D.K.S. Bhawan, Raipur (C.G.)

2. The General Administration Department, Through the Secretary & Re-organisation Cell, Vallabh Bhawan, Bhopal (M.P.)

3. General Administration Department, Through the Secretary, D.K.S. Bhawan, Raipur (C.G.)

4. The Director, Medical Services, D.K.S. Bhawan, Raipur (C.G.)

5. The Chief Medical Officer,

Ambikapur, Distt. Surguja (C.G.)

6. The Block Medical Officer, C.H.C. Ramanujnagar, Distt. Surguja (C.G.)

7. Union of India, Through the Secretary & Ministry of Personnel & Public Grievances, New Delhi, India.

Writ Petition No. 244 of 2005

PETITIONER : Parsuram Nayak, Son of Shri L.R.Nayak, aged about 48 years, Occupation: Sub Engineer, Pradhan Mantri Gram Sadak Yojna, Ambikapur, Distt: Surguja (C.G.)

VERSUS

RESPONDENTS :

1. State of Chhattisgarh through the Secretary, General Administration Department, Panchayat & Rural Development, DKS Bhawan, Raipur.

2. Secretary, Department of Panchayat & Rural Department, DKS Bhawan, Raipur.

3. State of Madhya Pradesh through the Secretary, General SAdministration Dept, Vallabh Bhavan, Bhopal (MP)

4. Union of India through the Secretary, Ministry of Personnel & Public Grievances & Pension, 3rd floor, Lok Nayak Bhavan, Khan Market, New Delhi.

5. The Executive Engineer, Rural Engineering Services, Division No.2, Ambikapur, Distt: Surguja (CG).

(130)

Writ Petition No. 1741 of 2005

PETITIONER : RAJGIRI GOSWAMI, SON OF SHRI HRIDAYGIRI GOSWAMI AGED ABOUT 30 YEARS, PERMANENT R/O VILLAGE NISHAN JANOJI, POST PARASGAON (SARRA) TAHSIL CHOURAI, DISTRICT CHHINDWARA (M.P.), PRESENTLY POSTED AS MULTIPURPOSE HEALTH WORKER, SUB-HEALTH CENTRE, GHATKARRA, DISTRICT RAINPUR (C.G.) UNDER COMMUNITY HEALTH CENTRE, CHHURA, DISTRICT RIAPUR, CHHATTISGARH)

VERSUS

RESPONDENTS : 1. UNION OF INDIA THROUGH; ITS SECRETARY, DEPARTMENT OF PERSONNEL, PUBLIC GRIEVANCE AND PENSION, THIRD FLOOR, LOKNAYAK BHAWAN, KHAN MARKET, NEW DELHI.

2. STATE OF MADHYA PRADESH, THROUGH SECRETARY, PUBLIC HEALTH & FAMILY WELFARE DEPARTMENT, VALLABH BHAWAN, BHOPAL (M.P.)

3. STATE OF CHHATTISGARH, THROUGH SECRETARY, PUBLIC HEALTH & FAMILY WELFARE DEPARTMENT, MANTRALAYA, D.K.S. BHAWAN, RAIPUR (C.G.)

4. DIRECTOR, HEALTH SERVICES CHHATTISGARH, RAIPUR (CHHATTISGARH)

5. CHIEF MEDICAL OFFICER, RAIPUR (CHATTISGARH)

6. BLOCK MEDICAL OFFICER, COMMUNITY HEALTH CENTRE, CHHURA, DISTRICT RAIPUR (CHHATTISGARH)

(137)

Writ Petition No. 919 of 2005

PETITIONER : Ashok Singh Rajput, S/o Ram Bharose Singh, Aged about 37 years, Presently posted and woring as Dresser at Mini Primary Health Center, Godam, District Raigarh (C.G.).

VERSUS

RESPONDENTS : 1. Union of India Through the Secretary, Department of Personnel, Public Grievance and Pension, Third Floor, Lok Nayak Bhawan, Khan Market, New Delhi.

2. State of Chhattisgarh Through the Secretary, Department of Health & Family Welfare, D.K.S. Building, Mantralaya, Raipur, Chhattisgarh.

3. State of Madhya Pradesh Through the Secretary, Department of Health & Family Welfare, Vallabh Bhawan, Bhopal (M.P.).

Writ Petition No. 2676 of 2005

PETITIONER : Santosh Kumar Udeniya, S/o. Shri Ramnarayan Udeniya, Aged about 45 years, Caste-Brahaman, R/o. Sevdhha, Tahsil Sevdhha, District Datiya, Present Address-Parsurampur, Tahsil Surajpur, District Surguja (C.G.)

VERSUS

RESPONDENTS : 1. State of Chhattisgarh, Through the Secretary, Public Health & Family Welfare Department, D.K.S. Bhawan, Raipur (C.G.)

2. The General Administration Department, Through the Secretary & Re-organisation Cell, Ballabh Bhawan, Bhopal (M.P.)

3. The General Administration Department, Through the Secretary, D.K.S. Bhawan, Raipur (C.G.)

4. The Director, Medical Services, D.K.S. Bhawan, Raipur (C.G.)

5. The Chief Medical Officer, Ambikapur, District Surguja (C.G.)

6. Union of India, Through the Secretary & Ministry of Personnel & Public Grievances, New Delhi, India.

Writ Petition No. 4253 of 2005

PETITIONER : Sheikh Rahman, aged about – 44 years, S/o Shri Sheikh Rajjak Asstt. Gr. II, R/o Old Nurses Hostel Mantralaya Parisar Directorate of Health Services, Raipur, (Chhattisgarh).

VERSUS

RESPONDENTS : 1. The Union of India Through: The Secretary Ministry of Personnel, Public Grievance & Pension (Personnel & Training Department), 3rd Floor, Lok Nayak Bhawan, Khan Market, New Delhi.

2. State of Chhattisgarh Through: The Secretary Department of Public Health, Family Welfare and Medical Education, Government of Chhattisgarh, D.K.S. Bhawan, Raipur (Chhattisgarh)

3. The Secretary, Department of General Administration, Government of C.G. Raipur, (C.G.)

4. Madhya Pradesh, Through: The Principal Secretary, Department of Public Health and Family Welfare, Madhya Pradesh, Bhopal (M.P.)

133

Writ Petition No. 5058 of 2005

PETITIONER : Ramesh Chandra Yadav, S/o Suvalal Yadav, aged about years 56 years, presently working as Asstt. Gr.III, in section X of the Department of General Administration, Mantralaya, DKS Bhawan Raipur. (C.G)

VERSUS

RESPONDENTS :

1. State of Chhattisgarh through Principal Secretary to the Govt. of Chhattisgarh, Department of General Administration (State reorganization cell), D.K.S. Bhawan Mantralaya, Raipur (C.G.)
2. State of Madhya Pradesh through the Principal Secretary, to the Govt. of Madhya Pradesh general administration, (State reorganisation cell), Mantralaya, Bhopal (M.P.).
3. Officer on Special Duty, Govt. of Chhattisgarh, Department of general administration, D.K.S. Bhawan, Mantralaya, Raipur (C.G.)
4. Mahanirdeshak, RCVP Narona, Academy of Administration and Management, Bhopal (M.P.)
5. Joint Director, (Accounts) RCVP Narona, Academy of Administration and Management, Bhopal (M.P.)
6. Union of India, Through the Secretary, To The Govt. of India, Department of personal grievances, and Pensions, Loknayak Bhawan Khan Market, New Delhi.

(134)

Writ Petition No. 5434 of 2005

PETITIONER : Priti Bathri W/o Shri Vinay Pardeshi, aged about 29 years, occupation Service, working on the post of Sub Inspector, posted at Police Chowki Korba, District Korba, r/o Korba (C.G.)

VERSUS

RESPONDENTS :

1. The State of Chhattisgarh, Through the Secretary Department of Home affairs, Chhattisgarh, D.K.S. Building, Raipur (C.G.)
2. The Director General of Police, Police Headquarter, Chhattisgarh, Raipur, Tahsil and District Raipur (CG)
3. The State of Madhya Pradesh, through the Secretary Department of Home Affairs (Police), Vallabh Bhawan, Bhopal (MP)
4. The Director General of Plice, Police Head Quarter, Madhya Pradesh, Bhopal, Tahsil and District Bhopal (MP)
5. The Secretary General Administration Department, Government of Madhya Pradesh, State Re-organization Cell, Vallabh Bhawan, Bhopal (MP).
6. Union of India, through the Secretary, Government of India, Ministry of Personnel and Public Grievances, New Delhi.

Writ Petition No. 6590 of 2005

PETITIONER : Vedprakash Mishra S/o Late Krishnapal Mishra, aged about 48 years, Occupation-Sub Engineer Water Resources Department, Sub Division Khongsara, Division Pendra Road, Dist. Bilaspur (C.G.)

(135)

VERSUS

RESPONDENTS : 1. Union of India, Through Director Ministry of Personnel (Public Complaints and Pension), Personnel and Training Department, III Floor, Lok Nayak Bhawan, Khan Market, New Delhi.

2. State of Chhattisgarh, Through Secretary, Water Resources Department, Dau Kalyan Singh Bhawan, Raipur Chattisgarh.

3. State of Madhya Pradesh, Through Secretary, Water Resources Department, Vallabh Bhawan, Bhopal, Madhya Pradesh.

Writ Petition No. 2823 of 2006

PETITIONER : George Jeevan Lakra S/o Late Shri Juel Lakra, aged about 46 years, occupation Medical Officer, posted at District Hospital Jabalpur, Tahsil and District Jabalpur (CG)

VERSUS

RESPONDENTS : 1. The State of Chhattisgarh, Through the Secretary Department of Health and Family Welfare, Mantralaya, D.K.S. Building, Raipur (C.G.)

2. The Union of India, through the Secretary Department of Personnel,, Public Grievances and Pension, Mantralaya, Personnel and Training, New Delhi.

3. The State of Madhya Pradesh, through the Secretary Department of Public Health and Family Welfare, Mantralaya, Vallabh Bhawan, Bhopal (MP)

4. The Chief Medical and Health Officer, Jashpur Nagar (CG)

5. Director, Health Services, Department of Chhattisgarh,

(136)

Raipur (CG).

Writ Petition No. 2874 of 2006

PETITIONER : Rajendra Prasad Sharma, S/o Shri Tilak Ram Sharma, Aged about 47 years, Occupation-Service, R/o Post-Bhainso, Tahsil-Pamgarh, District-Janjgir Champa (CG)

VERSUS

RESPONDENTS :
1. Union of India, Through the Secretary, Ministry of Home Department, New Delhi.
2. State of Chhattisgarh, Through the Secretary, Women Child Development and Social Welfare Department, Mantralaya, Dau Kalyan Singh Bhawan, Raipur (Chhattisgarh).
3. The Director, Public Instructions, Chhattisgarh, Raipur (C.G.)
4. The Director, Public Instructions, Madhya Pradesh, Bhopal.

Writ Petition No. 3768 of 2006

PETITIONER :
1) Upendra Singh Yadav S/o Shri Madan Singh Yadav, Aged about 26 years, Constable No. 292, 2nd Battalion Special armed forces Sakri (Bilaspur) Distt- Bilaspur (C.G.)
2) Shiv Singh Suswa S/o Ram Singh Kuswa Aged about 28 years Constable No. 227 2nd Battalion Special armed forces Sakri (Bilaspur) Distt- Bilaspur (C.G.)
3) Amar Singh Baghel S/o Asharam Baghel Aged about

31 years, Constable No. 281 2nd Battalion Special armed forces Sakri (Bilaspur) Distt- Bilaspur (C.G.)

4) Raghvendra Rajoriya S/o Rameshwar Prasad Rajoriya Aged about – 32 years, Constable No. 677, 2nd Battalion Special armed forces Sakri (Bilaspur) Distt- Bilaspur (C.G.)

5) Ashish Kumar Tripathi S/o Prabhu Dayal Tripathi Aged about 28 years Constable No. 213, 2nd Battalion Special armed forces Sakri (Bilaspur) Distt- Bilaspur (C.G.)

6) Bidhichand Sharma S/o Siyaram Sharma, Aged about 28 years, Constable No. 345, 2nd Battalion Special armed forces Sakri (Bilaspur) Distt- Bilaspur (C.G.)

VERSUS

RESPONDENTS : 1. Union of India, Through The Secretary, Ministry of Personnel Public Grievances Depot New Delhi.

2. State of Chhattisgarh Through the Secretary, Home Department (Police) D.K.S. Bhawan, Raipur (C.G.)

3. State of Madhya Pradesh Through the Secretary Home (Police) Department Vallabh Bhawan Bhopal (M.P.)

4. The Director General of Police Chhattisgarh Raipur (C.G.)

5. The Director General of Police Madhya Pradesh Bhopal (M.P.)

6. Commandant, 2nd Batalion, Sakari Distt- Bilaspur (C.G.)

(139)

Writ Petition No. 4475 of 2006

PETITIONER : Hari Ram Yadav, aged about 39 years, son of Shri Jagannath Prasad Yadav, occupation- Constable (M.T.) Distt. Surguja (C.G.)

VERSUS

RESPONDENTS :
1. State of Chhattisgarh, through the Secretary, Department of Home, Dau Kalyan Singh Bhawan, Mantralaya, Raipur (C.G.)
2. State of Madhya Pradesh. Through – The Secretary Department of Home, Mantralaya, Vallabh Bhawan Bhopal (M.P.)
3. Superintendent of Police, Distt. Surguja (C.G.)
4. The Union of India, through- Secretary, State Reorganization Cell, Khan Market, New Delhi.

Present: Mr. P.Diwakar, Sr. Advocate with Mr. P.R.Patankar Advocate, Mr. P. Sam Koshy, Mr. Ashish Shrivastava, Mr. M.K.Sinha, Mr. Kishore Bhaduri, Mr. R.K.Jain, Mr. Manoj Mishra, Mr. Sunil Sahu, Mr. Deepak Jain, Mr. Suresh Pandey, Mr. S.S.Rajput, Mr. B.P.Sharma, Mr. Jitendra Pali, Mr. M.K.Bhaduri, Smt. Renu Kochar, Mr. B.D.Guru, Mr. Parag Kotecha, Mr. Ramakant Mishra, Mr. V.Pandey, Mr. Sanjay Agrawal, Mr. Vivek Sharma, Mr. Y.C.Sharma, Mr. Ashok Kumar Shukla, Mr. Vishnu Koshta Mr. Malay Bhaduri, Smt. Fouzia Mirza, Mr. Rakesh Jha, Mr. Pradeep Saksena, Mr. Rajesh Pandey, Mr. Shailendra Soni, Mr. Sameer Sahu, Mr. Ali Asgar, Mr. I.S. Sahu, Mr. Anupam Dubey Advocates for the petitioners.

Dr. N.K. Shukla, Sr. Advocate with Mr. A.K. Yadav, Mr. R.S.Marhas, Mr. Rajeev Shrivastava, Mr. Sameer Sahu, Mr. R.S.Baghel, Mr. B.D.Guru, Mr. R.K.Kesharwani, Mr. P.P.Sahu, Mr. P.S.Koshi, Mr. S.S.Rajput, Sanjay K. Agrawal, Advocates for the respondents.

Mr. V.V.S.Moorthy, Deputy Advocate General, with Shri Sushil Dubey, Government Advocate, for the State of Chhattisgarh.

Shri Awadh Bihari, Secretary (Agriculture) Link Officer, Secretary, General Administration Department, Mr. Xavier Tigga, Deputy Secretary, General Administration Department, State of Chhattisgarh.

Mr. Rajeev Shrivastava and Mr. Sachin Singh Rajput, Advocates for the State of Madhya Pradesh.

Mr. S.K.Beriwal, Advocate with Mr. Manish Mohan, Deputy Secretary, Ministry of Public Grievances, Ku. Sharmila Singhai, Shri Rajnish Singh Baghel, Mr. Rajnish Kumar Shrivastava, on behalf of Mr. Shailendra Dubey, Advocate for the Union of India.

ORDER

(Passed on ..17th..day of April, 2007)

1. In these batch of matters, the petitioners are aggrieved by allocation/non-allocation of their services between the State of Chhattisgarh (for short "C.G.") and the State of Madhya Pradesh (for short "M.P."), pursuant to the creation of State of Chhattisgarh with effect from 1-11-2000 under the provisions of Madhya Pradesh Re-Organisation Act, 2000 (hereinafter referred to as "MPRA"). The petitioners are Government employees, Municipal employees, and employees of Local Authorities and other Corporations of the then existing State of M.P. as defined under Section 2 (e) of MPRA.

2. The petitioners have filed these petitions claiming allocation to either M.P. or C.G. on several grounds; mainly on the ground of residence, length of service in one state, residence of relations, posting of spouses, etc.

3. Part VIII of MPRA makes provisions asto services. Section 68 makes provisions relating to services in MP and CG. Section 69 makes

(190)

provisions for other services. Section 70 makes provisions for continuance of officers in same post. Section 71 contemplates creation of Advisory Committees and Section 72 provides for grant of direction by the Central Government to the State of MP and State of CG as necessary for the purpose of giving effect to the above stated provisions and the State Governments are under obligation to comply with such directions. It is beneficial to quote the provisions of 68, 69, 70, 71 and 72 of MPRA.

> "68. Provisions relating to service in Madhya Pradesh and Chhattisgarh.-(1) Every person who immediately before the appointed day is serving in connection with the affairs of the existing State of Madhya Pradesh shall, on and from that day provisionally continue to serve in connection with the affairs of the State of Madhya Pradesh unless he is required, by general or special order of the Central Government to serve provisionally in connection with the affairs of the State of Chhattisgarh:
>
> Provided that no direction shall be issued under this section after the expiry of a period of one year from the appointed day.
>
> (2) As soon as may be after the appointed day, the Central Government shall, by general or special order, determine the successor State to which every person referred to in sub-section (1) shall be finally allotted for service and the date with effect from which such allotment shall take effect or be deemed to have taken affect.
>
> (3) Every person who is finally allotted under the provisions of sub-section (2) to a successor State shall, if he is not already serving therein be made available for serving in the successor State from such date as may be agreed upon between the

(14)

Governments concerned or in default of such agreement, as may be determined by the Central Government.

69. Provisions relating to other services.-(1) Nothing in this section or Section 68 shall be deemed to affect on or after the appointed day the operation of the provisions of Chapter I of part XIV of the Constitution in relation to determination of the conditions of service of persons serving in connection with the affairs of the Union or any State:

Provided that the conditions of service applicable immediately before the appointed day in the case of any person deemed to have been allocated to the State of Madhya Pradesh or to the State of Chhattisgarh under section 68 shall not be varied to his disadvantage except with the previous approval of the Central Government.

(2) All services prior to the appointed day rendered by a person-

(a) if he is deemed to have been allocated to any State under section 68, shall be deemed to have been rendered in connection with the affairs of that State;

(b) if he is deemed to have been allocated to the Union in connection with the administration of the Chhattisgarh shall be deemed to have been rendered in connection with the affairs of the Union,

for the purpose of the rules regulating his conditions of service.

(3) The provisions of section 68, shall not apply in relation to members of any All-India Service.

70. Provisions as to continuance of officers in same post.-(1) Every person who, immediately before the appointed day is holding or discharging duties of any post or office in

connection with the affairs of the existing State of Madhya Pradesh in any area which on that day falls within any of the successor States shall continue to hold the same post or office in that successor State, and shall be deemed, on and from that day, to have been duly appointed to the post or office by the Government of, or any other appropriate authority in, that successor State:

Provided that nothing in this section shall be deemed to prevent a competent authority, on and from the appointed day, from passing in relation to such person any order affecting the continuance in such post or office.

71. Advisory Committee.- The Central Government may, by order establish one or more Advisory Committees for the purpose of assisting it in regard to-

(a) the discharge of any of its functions under this Part; and

(b) the ensuring of fair and equitable treatment to all persons affected by the provisions of this Part and the proper consideration of any representations made by such persons.

72. Power of Central Government to give directions.- The Central Government may, give such directions to the State Government of Madhya Pradesh and the State Government of Chhattisgarh as may appear to it to be necessary for the purpose of giving effect to the foregoing provisions of this Part and the State Governments shall comply with such directions."

4. On perusal of the provisions (supra), it is held that the Central Government is final arbiter to decide the dispute with regard to allocations of the employees of the then existing State of MP to present

(146)

State of MP and State of CG on the basis of guidelines framed by the Central Government.

5. The Central Government issued several guidelines from time to time. The identical dispute came up for consideration before this Hon'ble High Court in Writ Petition No. 2350/2002 (Dr. Smt. Pushpa Guru Vs. Union of India and others). This Court vide order dated 28-4-2003 held as under:

> "21. Having thus considered the facts and circumstances of the case and in view of the statements made by the counsel on behalf of the parties, in the opinion of this Court, ends of justice will be served if an opportunity is given to the petitioners, those who desire, to make a detailed representation raising their grievances along with documents on or before 10th May 2003 to the Central Government addressed to the Government of India, Department of Personal and Training, Ministry of Personal, Public Grievances and Pensions, Loknayak Bhawan, Khan, Market, New Delhi (State Reorganisation Cell). Same copy of the representation duly supported by all documents be also served on the concerned Departments of both the States after obtaining the acknowledgment and both the States to forward the same to the Central Government with their comments and the requisite information and complete details within 30 days, in order to enable the Central Government to decide the representation. It is open to the Central Govt. to seek such further information from the State Governments and on such requisition being made from the Central

Government, the State Governments will apply the same expeditiously. On such a representation being made, the Central Government shall consider and decide the same as early as possible preferably on or before 31st July, 2003 by passing appropriate orders.

22. So far as the cases of revised options are concerned, the petitioners of those cases are directed to specifically mention this fact in the representation. Their representation shall be decided by the Central Government as directed above. It is also made clear that all the petitioners/employees will remain on duty on 1/8/2003 to receive the decision of the Central Government on their representation."

6. The High Court of Madhya Pradesh in the matter of **Rajendra Kumar Soni Vs. State of M.P and others**[1] while considering functions of the Advisory Committee under Section 71 of the MPRA held as under:

"9. In view of the aforesaid contentions raised by the learned counsel for the parties, all the matters deserve to be reconsidered by the Central Government. The reason behind of it is that the High Court of Chhattisgarh by the aforesaid order has directed for consideration of the representations by the Central Government. As stated at the Bar that the Central Government has decided to implement the aforesaid order and the Central Government will decide the representations of the employees as directed by the High Court of Chhattisgarh naturally, the Central Government has to give effect to the aforesaid order. As the aforesaid exercise has to be done by the Central Government in respect of the employees who were petitioners before the High Court of

[1] 2003 (2) MPJR 493

Chhattisgarh, similar treatment deserves to be given to the petitioners herein. The grievances are similar and all the employees have to be dealt with similarly on the principle of parity. Apart from this, under Section 71 of the aforesaid Act, the Central Government is empowered to decide the representations through Advisory Committee. There is no bar under Section 71 of the Act to reconsider the representations either by the same Advisory Committee or by constituting a fresh Advisory Committee. As the aforesaid provision empowers the Central Government to establish one or more Advisory Committee for the purpose of implementing the objects of the Act, the liability of the Government is to cover fair and equitable treatment to all the employees affected by the allocation. The employees have been given a statutory right for proper consideration of the representations. The proper consideration will include the application of mind, consideration of the grievance and decision thereon. It is not mere an eye-wash given by the statutes. It is a fact and common knowledge that the partition gives pain to every affected person, if an employee has to go to another State without his willingness or he is having some genuine grounds to remain in the State of his choice, then his grievance is to be considered fairly and properly. This duty is cast on the Central Government and if such prayer is made by the employees hereinabove, then it is to be seen that their grievance may not be thrown without examining by the appropriate authority. As the Central Government is to implement the order of High Court of Chhattisgarh by deciding the representations as directed by the High Court of

Chhattisgarh, in the circumstances, in these petitions similar directions are to be issued to the respondents, as agreed hereinabove."

7. Ministry of Personnel, Public Grievances & Pensions Department of Personnel & Training Government of India issued a letter dated 01.05.2003 to Chief Secretary, Government of Madhya Pradesh, Bhopal and Chief Secretary, Government of Chhattisgarh, Raipur, requesting them to process all the representations and forward for consideration to the Central Government as under:

"1.1. New Additions:

This includes such cases where an incumbent's name does not figure either in the provisional allocation list or in the tentative final allocation list, but figures in the final allocation list issued by the Central Government. Attention in this connection is invited to this Department's letter No. 14/233/2002 –SR(S) dated 01-11-2002 through which suitable instructions were issued to the successor State Governments in respect of new additions asking them to invite representations from the above personnel and to forward their representations along with the departmental comments to the Central Government.

1.2 No Allocation:

This would include such cases where a person's name figures neither in the provisional/tentative final allocation lists nor in the final allocation orders issued by the Central Government. However, being State service personal, they are required to be finally allocated to one of the successor States. The State Governments through their respective Departments may furnish details of such cases for consideration of the Central Government.

147

1.3 Change of allocation after Tentative Final Allocation List:

This would include cases where a person's name originally figured in the tentative final allocation list for one successor State and who did not prefer any representation but was finally allocated to the other successor State. Since personnel under this category were denied the opportunity to represent against their final allocation, their representations along with departmental comments may be forwarded to the Central Government for consideration.

1.4 Spouse in State/Sub-State Cadre:

This would include cases of such spouses where one of them is in the State cadre (those having All State Transfer Liability and where posts are not exclusively relatable to one successor State only) and the other spouse is in the sub-State cadre namely Tehsil, Village, District etc. Attention of the successor State Governments is invited to the first meeting of the Advisory Committee held on 23-2-01, wherein it was decided that if one of the spouse is in the State cadre and the other in the sub-State cadre, then the spouse in the sub-State cadre would be allocated to that successor State to which the spouse in the State cadre has been finally allocated. Central Government desires that in respect of the above, the successor State Governments may consider these cases at their own level, subject to written representations being received in this regard from spouses working in sub-States cadres.

1.5. The Central Government desires that representations indicated in Paras 1.1 to 1.4

(149)

above, may not be forwarded in piecemeal manner, but all representations pertaining to a particular Department may be processed and forwarded for consideration of the Central Government.

2. Mutual Transfer cases:

A large number of representations have been received from personnel requesting for consideration of their mutual transfer with another consenting State service personnel. Since the Central Government has already issued final allocation orders, it finds no reason to entertain such requests. However, it is open to the successor State Governments to consider requests of mutual transfer based on broad consensus arrived between the State Governments, inter alia either defining the terms and conditions for such consideration or by framing suitable rules for this purpose.

Yours faithfully,

(R.K. Goel)

Director (CS)"

8. Thereafter, several letters were exchanged between both the State Governments. The Government of India vide order dated 1-10-2004 in exercise of power conferred by Section 71 of the MPRA constituted the State Advisory Committee in regard to the State Government employees other than All-India Services for a period of three months to review and decide the allocation of the State Government employees, after considering the merits and grievances raised in the representations submitted by them under Chairman-ship of Retired Chief Secretary, Shri K.S. Sharma, Secretary, General Administration Department, Government of MP, Secretary, General

(149)

Administration Department, Government of CG and Director/DS/(SR)or US (SR), Department of Personnel and Training, Government of India were nominated as members. The term of the said committee was for a period of three months. It appears that at present there is no committee in existence which can decide the remaining matters of allocations.

9. The Government of India, vide its letter dated 8th June, 2006, addressed to Chief Secretary, Madhya Pradesh and Chief Secretary, Chhattisgarh, has informed that the Central Government has already issued final allocation orders. Review of the allocation may be considered by the State Government.

10. Learned counsel appearing for the petitioners made a serious grievance that the Committee is not following the guidelines issued by the Government of India and further submitted that the letter dated 13-12-2006 sent by Government of CG to the Principal Secretary, GAD, Government of MP should also be incorporated as guidelines for allocation of disputed cases of the employees. Learned counsel appearing for the parties have expressed their apprehension with regard to fairness of the Committee as the Committee was headed by the then Chief Secretary of State of MP.

11. Shri S.K. Beriwal, Learned Standing Counsel with Shri Manish Mohan, Deputy Secretary, Government of India, Ministry of Public Grievances appearing for Union of India, per contra, would submit that the allegations are vague. The Committee so constituted by Government of India is functioning on behalf of the Government of India as the Government of India is final arbiter under provisions of MPRA. The

(150)

representations made by various employees are being considered and appropriate orders have been passed. The petitioners cannot question the decision of the Committee except in case of any infirmity, irregularity or procedural error committed by the Committee. That is not the case in the present petitions.

12. Shri V.V.S. Murthy, learned Deputy Advocate General with Shri Sushil Dubey, Learned Government Advocate appearing for the State of CG would submit that the authority sitting at Bhopal is not responding properly to the State of Chhattisgarh. The State of MP, despite various efforts made by counsel appearing for the State of MP, did not submit any response.

13. I have heard learned counsel for the parties, perused the pleadings and the documents appended thereto. It is evident that the Government of India is the final authority to decide the issue of allocation/re-allocation of the employees of the then existing State of MP except in case of mutual transfer. In the cases on hand, there are cases where the orders have been passed for mutual transfer which had not been given effect to. This Court, keeping in view of the pending disputes in this court, had passed the stay order in favour of the some of the petitioners to continue at places where they were working till disposal of these petitions.

14. The Government of India being the final authority is under an obligation to ensure that fair allocation of services of employees of the then existing state of MP takes place. The conduct of the State of MP by not furnishing any information speaks volumes. Without going into

(151)

allegations and counter allegations by the parties, it is desirable in the interest of employees as well as in the interest of both the State Governments that the Government of India should be and is directed to appoint a Committee in exercise of its power under section 71 of the Madhya Pradesh Re-organization Act, headed by the senior officer belonging to any other State, not from State of MP or CG and the members can be appointed from both the States for proper processing and decision of the representations. The Committee so constituted is directed to consider the representations made by the petitioners, if their representations are not considered earlier or if their representations have not been considered fairly, as early as possible within a period of 3 months from the date of Constitution of the Committee. Government of India is further directed to issue fresh guidelines keeping in view fair allocation of the employees having regard to residence of the employees, continuity of service in one State, posting of spouses and other similar factors which the Government may deem fit and proper. This exercise on the part of the Government of India may be completed within a period of one month from the date of receipt of a copy of this order.

15. With the aforesaid observations and directions, these petitions stand disposed of.

Sd/-
Satish K.Agnihotri
Judge

Raju